



## NOTICE OF MEETING AND AGENDA

Pursuant to the Massachusetts Open Meeting Law (G.L. c. 30A, §§ 18-25), St. 2022, c. 107, and St. 2023, c. 2, notice is hereby given of a public meeting of the **Massachusetts Gaming Commission**. The meeting will take place:

**Thursday | June 1, 2023 | 9:00 a.m.**  
**VIA REMOTE ACCESS: 1-646-741-5292**  
**MEETING ID/ PARTICIPANT CODE: 112 539 2948**  
**All meetings are streamed live at [www.massgaming.com](http://www.massgaming.com).**

Please note that the Commission will conduct this public meeting remotely utilizing collaboration technology. Use of this technology is intended to ensure an adequate, alternative means of public access to the Commission's deliberations for any interested member of the public. If there is any technical problem with the Commission's remote connection, an alternative conference line will be noticed immediately on [www.massgaming.com](http://www.massgaming.com).

All documents and presentations related to this agenda will be available for your review on the morning of the meeting date by visiting our website and clicking on the News header, under the Meeting Archives drop-down.

### **PUBLIC MEETING - #457**

1. Call to Order – Cathy Judd-Stein, Chair
  
2. Meeting Minutes
  - a. December 15, 2022 **VOTE**
  
3. Administrative Update – Karen Wells, Executive Director
  
4. Legal – Todd Grossman, General Counsel, Caitlin Monahan, Deputy General Counsel, Carrie Torrisi, Deputy General Counsel
  - a. 205 CMR 257: *Data Privacy and Usage* – Review of Regulation and Small Business Impact Statement for possible emergency adoption, and authorization to begin the promulgation process **VOTE**
  - b. 205 CMR 138: *Uniform Standards of Accounting Procedures and Internal Controls* - Review of Regulation and Small Business Impact Statement for possible emergency adoption, and authorization to begin the promulgation process **VOTE**
  - c. 205 CMR 238: *Uniform Standards of Accounting Procedures and Internal Controls for Sports Wagering*- Review of Regulation and Small Business Impact Statement for possible emergency adoption, and authorization to begin the promulgation process **VOTE**



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- d. 205 CMR 247: *Uniform Standards of Sports Wagering* - Review of Regulation and Small Business Impact Statement for possible emergency adoption, and authorization to begin the promulgation process **VOTE**
  - e. 205 CMR 248: *Sports Wagering Account Management* - Review of Regulation and Small Business Impact Statement for possible emergency adoption, and authorization to begin the promulgation process **VOTE**
5. Sports Wagering – Bruce Band, Director of Sports Wagering, Sterl Carpenter, Sports Wagering Operations Manager
- a. 205 CMR 247.03 Petition Form for Review **VOTE**
  - b. **Update to House Rules re Credit Language** **VOTE**
    - I. **Crown MA Gaming (DraftKings)**
6. Research and Responsible Gaming – Mark Vander Linden, Director of Research and Responsible Gaming, Bonnie Andrews, Research Manager
- a. Presentation of Report: *Patron and License Plate Survey Report: Encore Boston Harbor 2022* - Laurie Salame, Senior Lecturer II, University of Massachusetts Amherst, Isenberg School of Management, Department of Hospitality and Tourism Management; Expert Advisor, SEIGMA, Thomas Peake, Senior Research Analyst, University of Massachusetts Donahue Institute
7. Racing – Alex Lightbown, Director of Racing
- a. Plainridge Park Racecourse Request for Approval of Additional Racing Official – Alex Lightbown, Director of Racing; Steve O’Toole, Director of Racing PPC **VOTE**
8. Finance – Commissioner Nakisha Skinner, Derek Lennon, Chief Financial Officer
- a. FY24 Budget Review
9. **Legal – Todd Grossman, General Counsel; Katrina Jagroop-Gomes – Chief Information Officer, Cristian Taveras, Gaming Technical Compliance Manager**
- a. **205 CMR 243.01(1)(x): Consideration of Waiver of Regulatory Timeframe** **VOTE**
10. Other Business - Reserved for matters the Chair did not reasonably anticipate at the time of posting.



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I certify that this Notice was posted as “Massachusetts Gaming Commission Meeting” at [www.massgaming.com](http://www.massgaming.com) and emailed to [regs@sec.state.ma.us](mailto:regs@sec.state.ma.us). Posted to Website: May 30, 2023 | 9:00 a.m. EST | REPOSTED May 30, 2023 2:30 p.m.

May 30, 2023

*Cathy Judd-Stein*

*Cathy Judd-Stein, Chair*

*If there are any questions pertaining to accessibility and/or further assistance is needed,  
please email [Grace.Robinson@massgaming.gov](mailto:Grace.Robinson@massgaming.gov).*



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## Massachusetts Gaming Commission Meeting Minutes

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**Date/Time:** December 15, 2022, 10:00 a.m.  
**Place:** Massachusetts Gaming Commission

VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
PARTICIPANT CODE: 112 522 2264

The Commission conducted this public meeting remotely utilizing collaboration technology. The use of this technology was intended to ensure an adequate, alternative means of public access to the Commission's deliberations for any interested member of the public.

### **Commissioners Present:**

Chair Cathy Judd-Stein  
Commissioner Eileen O'Brien  
Commissioner Bradford Hill  
Commissioner Nakisha Skinner  
Commissioner Jordan Maynard

1. [Call to Order](#) (00:00)

Chair Judd-Stein called to order the 413<sup>th</sup> Public Meeting of the Massachusetts Gaming Commission ("Commission"). Roll call attendance was conducted, and all five commissioners were present for the meeting.

2. [Review of Meeting Minutes](#) (00:56)

Commissioner Hill noted that the September 22, 2022, minutes were distributed later than the other sets, and wanted to ensure that the Commission had sufficient time to review that set of minutes. Commissioner Skinner noted that she had not had the opportunity to review the September 22, 2022, minutes and requested that the Commission move that vote until the following meeting. Commissioners agreed.

a. [9/13/2022 and 9/19/2022](#) (02:40)

Commissioner Hill moved that the Commission approve the minutes from the September 13, 2022, and September 19, 2022, public meetings that were included in the Commissioner's Packet



subject to any necessary corrections for typographical errors or other non-material matters. Commissioner Skinner seconded the motion.

Commissioner O'Brien suggested an edit to the September 13, 2022, minutes and Commissioner Hill confirmed they would make the change.

*Roll call vote:*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Commissioner Skinner: Aye.*

*Commissioner Maynard: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously, 5-0.*

### 3. [Administrative Update](#) (04:12)

Chair Judd-Stein introduced Assistant Director of the Investigations & Enforcement Bureau and Gaming Agents Division Chief Bruce Band to provide the casino update. Assistant Director Band stated that MGM Springfield ("MGM") had its sports wagering kiosks on-site and had begun installing them. He stated that MGM continued to host their toy drive and that MGM planned to shut down their ice rink after the holidays. He stated that Encore Boston Harbor ("EBH") had started a Feed the Funnel event providing meals for surrounding communities, with the goal to pack 400,000 meals. He stated that Plainridge Park Casino ("PPC") had hired their sportsbook manager Ryan Blake.

Commissioner O'Brien asked why MGM was closing the ice rink. Assistant Director Band stated that the information about the ice rink closing was recently received, and he did not yet have a chance to follow up. Chair Judd-Stein noted that the Commission would be interested in receiving an update on the issue.

### 4. [Sports Wagering Regulations](#) (06:07)

- a. 205 CMR 138: *Uniform Standards of Accounting Procedures and Internal Controls* and Small Business Impact Statement for initial review and possible emergency adoption

Deputy General Counsel Caitlin Monahan introduced attorney Mina Makarious from Anderson and Krieger to present the internal control regulations. Mr. Makarious stated that the regulations implemented requirements to ensure operators have a plan to do everything they are required to run operations in accordance with the Commission's regulations and General Law Chapter 23N.

Mr. Makarious explained that 205 CMR 138 and 205 CMR 238 capture the security of accounts, how money was handled, staffing protocols and supervision. The *draft 205 CMR 138 and small business impact statement* was included in the Commissioner's Packet on pages 27 through 114.

Mr. Makarios stated that 205 CMR 138 was the existing internal controls for gaming licensees and that the regulation was being updated with respect to gaming licensees with sports wagering areas. He stated that new language was being added to 205 CMR 138 which provides that, with reference to the extent to which third parties provide any internal controls of the gaming licensees, the licensees must document what third-party operators are doing. Addition and language that if there was a conflict between 205 CMR 138 and 205 CMR 238 the licensee would have to describe any conflicts within their internal controls.

Mr. Makarios stated that similar language appears in 205 CMR 238, but this provision was specifically for gaming licensees. He noted that category two sports wagering licensees would be covered in 205 CMR 238. Chair Judd-Stein asked if there were any burdensome reporting requirements in the regulation. Assistant Director Band replied that there were not.

Mr. Makarios noted that the internal controls required the prohibition of the issuance of credit to sports wagering patrons. Commissioner O'Brien stated that the Commission would be addressing the specific definition of those terms when discussing responsible gaming and marketing. She asked if the definition in the regulation would be able to capture the future discussion. Mr. Makarios stated that the provision would capture those definitions, as it had licensees ensure they were meeting the Commission's requirements.

Mr. Makarios noted that the requirement that ATMs not be within fifteen feet of the gaming area was edited to include sports wagering areas as well. Commissioner O'Brien inquired whether this requirement also applied to category two licensees. Mr. Makarios stated that the term used for this provision was sports wagering facility which captures category two operators as well; he added that a catch-all would be included in the category two sports wagering regulations.

Commissioner O'Brien asked if the notification requirements for data breaches went above and beyond the state and federal requirements. Mr. Makarios stated that they did as it required additional details be reported out. Commissioner O'Brien asked if there was a separate notice requirement to the Commission in the case of a data breach. Mr. Makarios stated that the procedures included a required notification to the Commission in the case of a data breach.

Chair Judd-Stein asked if the Commission was comfortable voting on 205 CMR 138 at this time. Commissioner O'Brien stated that she would like to review 205 CMR 238 before voting on 205 CMR 138 due to the interplay between the regulations. Deputy General Counsel Monahan stated that 205 CMR 238 should be screenshared, as late typographical adjustments did not make it into the Commissioner's Packet.

b. [205 CMR 238](#): *Uniform Standards of Accounting Procedures and Internal Controls for Sports Wagering* and Small Business Impact Statement for initial review and possible emergency adoption (30:04)

Mr. Makarios presented 205 CMR 238 which related to the internal controls for sports wagering. Digital technical compliance specialist Mike Robbins from Gaming Laboratories International (“GLI”) stated that sections (f) and (h) reference 205 CMR 243.01 to tie in the technical security controls in GLI 33 that pertain to sports wagering systems. He noted that 205 CMR 243.01 also tied into the aspects of procedures and practices in Appendix A of GLI 33.

Chair Judd-Stein sought clarification if ‘chief sports wagering executive’ and ‘department’ were the defined terms, as the Commission staff used different terminology. Mr. Robbins explained that the terms used mirrored what existed in the casino gaming regulations, and that the terms referred to the operator not the Commission. Chair Judd-Stein stated that the clarification was helpful.

Mr. Robbins explained that 205 CMR 238 applied to all sports wagering categories, with the exception of when it discussed, the sports wagering counter or area which would only apply to categories one and two, given their in-person nature. Mr. Makarios stated that the regulation had some similarity to 205 CMR 138, but was profoundly impacted and edited to address the online components of sports wagering.

Chair Judd-Stein noted that the Commission received more direction on these matters in General Law 23K than they had in General Law 23N. She asked if the regulation could be interpreted as overextending. Mr. Makarios stated that the provisions were based within federal laws, and noted the Commission had the authority to require operators to comply with all applicable laws.

Chair Judd-Stein sought clarification about the language related to accepting sports wagering tickets as a tip. Mr. Makarios clarified that occupational licensees could not accept them, but that other employees could - provided they did not solicit the ticket or participate in the selection of the wager.

Mr. Robbins explained that the language related to ‘restricted patrons’ was separated from ‘prohibited persons’. He noted that a restricted patron was someone who could place wagers, but there were restrictions on what they could wager on. He used an example of a football player not being able to wager on a game he was playing in. Mr. Robbins noted that prohibited persons were those acting in violation of a prohibition, such as attempting to wager while on the voluntary self-exclusion (“VSE”) list.

Chair Judd-Stein asked for a quick review of the “change management” provision. Mr. Robbins stated that the provision tied back to 205 CMR 244.03 and was flagged during an internal review that it would be advantageous to create a cross-reference to include in this section.

Mr. Makarios stated that the data network security requirements were designed based on other jurisdictions with the assistance of GLI. Mr. Robbins stated that it laid out a framework for a quarterly vulnerability scan and added additional security measures due to the considerable risk factor of the internet.

Commissioner Skinner noted that she did not spend as much time reviewing this regulation as she would have liked, due to the aggressive application review schedule. She stated that she was

comfortable moving on the regulation in this meeting as Commissioner O'Brien had been focused on this regulation. She reserved her right to propose edits during the public comment process and before the Commission's vote to promulgate the regulation as final.

Commissioner O'Brien noted the provision on Document Retention required giving notice to the Gaming Enforcement Division at the Attorney General's Office, and asked if this was brought to the Attorney General's Office to ensure the timing was a reasonable request. Mr. Makarious stated that the language was identical to the existing 205 CMR 138, and that the only change was to make it explicitly clearer that if any entity identified in the regulation requests information be retained it should be complied with. Commissioner O'Brien stated she doubted the Attorney General's Office would want changes, but did think they should be notified.

Chair Judd-Stein noted that the Commission had the benefit of GLI's counsel in standing up sports wagering and stated that the Commission could revisit any regulation promulgated with an amendment. She stated that there was no time limitation if there was something the Commission could improve upon.

Commissioner Hill and Commissioner Maynard thanked Mr. Makarious for the presentation. Commissioner Maynard noted that any questions he had were secondary to the regulation and related to the policies and procedures that would be submitted. He stated that he had no issues with the framework.

Executive Director Karen Wells stated that next after promulgation of these regulations was to notify applicants of a due date for them to submit their internal controls for GLI to review in order to remain on schedule. Commissioner Skinner noted that the regulations had been posted to the website and thanked the Communications Division for posting them.

Commissioner O'Brien moved that the Commission approve the small business impact statement and the draft of 205 CMR 138 as included in the Commissioner's Packet and further discussed here today. The motion was seconded by Commissioner Skinner.

*Roll call vote:*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Commissioner Skinner: Aye.*

*Commissioner Maynard: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously, 5-0.*

Commissioner O'Brien asked if the existing regulation was being requested to be promulgated by emergency to remain consistent with the interconnectedness of 205 CMR 138 and 205 CMR 238. Deputy General Counsel Monahan stated that it was.

Commissioner O'Brien moved that the staff be authorized to take the steps necessary to file the required documentation with the Secretary of the Commonwealth by emergency and thereafter to begin the regulation promulgation process and further that staff be authorized to modify chapter

or section numbers or titles to file additional regulation sections as reserved or make any other administrative changes necessary to execute the regulation promulgation process. The motion was seconded by Commissioner Hill.

*Roll call vote:*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Commissioner Skinner: Aye.*

*Commissioner Maynard: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously, 5-0.*

Commissioner O'Brien moved that the Commission approve the small business impact statement and the draft of 205 CMR 238 as included in the Commissioner's Packet and as discussed today. The motion was seconded by Commissioner Skinner.

*Roll call vote:*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Commissioner Skinner: Aye.*

*Commissioner Maynard: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously, 5-0.*

Commissioner O'Brien asked how putting this regulation in as an emergency would work with the existing timeline. Deputy General Counsel Monahan explained that it would take two to three months to promulgate the regulation not by emergency, and the internal controls would not be ready for the category one go-live date in January. Executive Director Wells explained that internal controls are a critical requirement of the operations certificate regulations.

Commissioner O'Brien moved that the staff be authorized to take the steps necessary to file the required documentation with the Secretary of the Commonwealth related to 205 CMR 238 by emergency, and thereafter to begin the regulation promulgation process and further that staff be authorized to modify chapter or section numbers or titles to file additional regulation sections as reserved or make any other administrative changes necessary to execute the regulation promulgation process. The motion was seconded by Commissioner Maynard.

*Roll call vote:*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Commissioner Skinner: Aye.*

*Commissioner Maynard: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously, 5-0.*

c. [205 CMR 254](#): Temporary Prohibition from Sports Wagering, and Small Business Impact Statement for initial review and possible emergency adoption (1:17:10)

Deputy General Counsel Carrie Torrisi and attorney Annie Lee from Anderson and Krieger presented the draft of 205 CMR 254 which created a cooling-off option for sports wagering as an alternative means for patrons to exclude themselves if they hadn't chosen to enroll in VSE. Deputy General Counsel Torrisi noted that the regulation had undergone changes the morning of the meeting. The *draft 205 CMR 254 and small business impact statement* was included in the Commissioner's Packet on pages 158 through 162.

Ms. Lee explained that cooling-off periods were inspired by the VSE list, but they may function closer to PlayMyWay on the implementation and administrative side. She noted that it differed from the VSE list because cooling-off was done on an operator-by-operator basis, rather than a combined list between all operators. She noted that cooling-off only applied to sports wagering platforms, and not retail locations.

Chair Judd-Stein asked if cooling-off was described by law or a policy decision. Ms. Lee stated that it was not prescribed by law, and it was used in the industry as a responsible gaming measure. Chair Judd-Stein sought clarification whether the cooling-off period only applied to a single platform. Ms. Lee stated that was correct.

Director of Research and Responsible Gaming Mark Vander Linden explained that the priority in cooling-off was that it was effective immediately. Chair Judd-Stein asked if there was a way to remove cooling-off if they decided they wanted to sports wager during that period. Director Vander Linden stated that there was no way to remove the cooling-off period until the designated time expired.

Ms. Lee stated that there were five options for the cooling-off period: 72 hours, one week, two weeks, three weeks, and four weeks. Chair Judd-Stein stated that there was a policy decision here and Commissioner O'Brien stated that she was unsure that the Commission had made this decision on cooling-off periods.

Chair Judd-Stein stated that as an underlying policy decision was being proposed and that the Commission should reflect on it. Commissioner O'Brien noted that the Commission had not asked in terms of technology whether the operators would have the technology to implement the VSE.

Director Vander Linden stated that the Commission has a Responsible Gaming Framework and had issued a white paper on sports wagering considerations. He noted that cooling-off was a priority for the Commission and the Responsible Gaming Division. Commissioner O'Brien asked if the Commission would have the jurisdiction to request all operators to adopt Penn Entertainment's policy that their cooling-off period would be universal for both the online

application and retail locations. She stated that the issue could be addressed in the upcoming responsible gaming regulations for sports wagering.

Commissioner O'Brien suggested that longer cooling-off periods should require additional notice that the temporary prohibition period would be ending, noting 24 hours' notice felt short. Director Vander Linden stated that it may be a question of what was feasible, and that a solution could be explored with GLI. Commissioner Hill stated that he had the same concerns and noted that further information would be helpful.

Chair Judd-Stein asked if the 24 hours' notice could be extended to 72 hours. Commissioner O'Brien stated that she wanted information on what was the best practice, and what was practical from a technological standpoint. She suggested a couple more days' notice on longer cooling-off periods.

Director Vander Linden stated that finding the best practices was a good question as evaluation of this type of feature was sparse. Deputy General Counsel Torrisi stated that if voted on today, this regulation would appear before the Commission in February for a final vote, where additional changes could be made. Chair Judd-Stein stated that from a technical point of view, it would not be difficult to add language in this meeting and then adjust it later. Commissioner O'Brien asked what the suggested language would be. Director Vander Linden stated that his recommendation would be to require a 72-hour notice for any cooling-off period longer than a week.

Commissioner O'Brien asked if language existed for days eight to thirteen of the cooling-off periods. Ms. Lee explained that the options for cooling-off were: 72 hours; one week; two weeks; three weeks; and four weeks. She added that a patron would not be able to customize a period of eight to thirteen days. Commissioner Maynard expressed concern by not allowing consumer choice in this feature. Director Vander Linden stated that simplicity was important, and that PlayMyWay uses a process with as few clicks as possible. He explained that people enrolling in a cooling-off period were in a state of mind looking to solve or prevent their problem. He stated he appreciated wanting to provide flexibility, but the five options presented made sense. Chair Judd-Stein noted that more options may also create backend technological challenges for operators.

Commissioner O'Brien stated that she was thinking of presentations the Commission heard about the patrons being precise with how long they want to cooling-off, but the five options could make the choice simpler. Director Vander Linden stated that the five options were his recommendation. Chair Judd-Stein posed that the 72-hour and one-week cooling-offs would remain a 24-hour notice while two weeks, three weeks, and four weeks would be changed to a 72-hour notice.

Commissioner Skinner stated that she recalled from prior presentations that the preset timeframes would be built into the platform. Commissioner O'Brien expressed that she had

thought the timeframe could be personalized and that she may have misheard it. Commissioner Skinner stated that the cooling-off period could be extended, but she recalled that four weeks was the maximum. Chair Judd-Stein agreed with Commissioner Skinner. Commissioner Maynard stated that the choice made it easy for a person to be more restrictive and impose boundaries on their wagering.

Ms. Lee stated that there was a notification that allowed patrons to select whether they wanted to renew their cooling-off period, apply for the VSE list, or resume sports wagering. Director Vander Linden asked if this notification was the same one mentioned previously, as he was under the impression that affirmative action was required to continue sports wagering. Ms. Lee stated that the notification was separate from the one previously discussed, and would only appear after the cooling-off period has ended. She noted that this notification would include an additional question about engaging in sports wagering again.

Director Vander Linden explained that with the VSE list there was a requirement of a reinstatement session with a GameSense advisor. He stated that the cooling-off period did not require that type of one-on-one interaction but that a decision to continue the cooling-off period or enroll in the VSE list would be included. Commissioner O'Brien asked if Director Vander Linden would suggest additional language based on his comments. Director Vander Linden stated that the provision covers what he recommended.

Commissioner O'Brien moved that the Commission approve the small business impact statement and draft of 205 CMR 254 as included in the Commissioner's Packet and discussed today, and in particular the edits discussed and agreed upon pertaining to 205 CMR 254.03. The motion was seconded by Commissioner Hill.

Deputy General Counsel Torrisi mentioned there was an additional small redline edit in 205 CMR 254.02. Commissioner O'Brien amended her motion to include the edit specifically discussed in 205 CMR 254.02 and 205 CMR 254.03. The amendment was seconded by Commissioner Hill.

*Roll call vote:*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Commissioner Skinner: Aye.*

*Commissioner Maynard: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously, 5-0.*

Commissioner O'Brien inquired why this regulation was needed to pass by emergency. Executive Director Wells stated that the Commission would not want to launch mobile sports wagering without these protections in place for the vulnerable citizens of Massachusetts.



Commissioner O'Brien moved that the staff be authorized to take the steps necessary to file the required documentation with the Secretary of the Commonwealth by emergency, and thereafter to begin the regulation promulgation process and further that staff be authorized to modify chapter or section numbers or titles to file additional regulation sections as reserved or make any other administrative changes necessary to execute the regulation promulgation process. The motion was seconded by Commissioner Hill.

*Roll call vote:*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Commissioner Skinner: Aye.*

*Commissioner Maynard: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously, 5-0.*

5. [Commissioner Updates](#) (2:05:45)

Chair Judd-Stein thanked the attorneys from Anderson and Krieger for their presentations. No other updates were offered.

6. [Other Business](#) (2:06:07)

Hearing no other business, Chair Judd-Stein requested a motion to adjourn.

Commissioner O'Brien moved to adjourn. The motion was seconded by Commissioner Hill.

*Roll call vote:*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Commissioner Skinner: Aye.*

*Commissioner Maynard: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously, 5-0.*

**List of Documents and Other Items Used**

1. Notice of Meeting and Agenda dated December 12, 2022
2. [Commissioner's Packet](#) from the December 15, 2022, meeting (posted on [massgaming.com](http://massgaming.com))
3. [205 CMR 238 Revision](#) for December 15, 2022



TO: Chair Cathy Judd-Stein  
Commissioner Brad Hill  
Commissioner Jordan Maynard  
Commissioner Eileen O'Brien  
Commissioner Nakisha Skinner

FROM: Caitlin Monahan, Deputy General Counsel  
Mina Makarious, Esq., Anderson & Kreiger

CC: Karen Wells, Executive Director

DATE: May 25, 2023

RE: 205 CMR 257: Data Privacy

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Enclosed for the Commission's review is a proposed set of regulations at 205 CMR 257.00 concerning Sports Wagering Operators' obligations to protect and secure the Confidential Information and Personally Identifiable Information, as those terms are defined in the regulation, of patrons.

A summary of the proposed regulation is as follows:

- 257.02: Sports Wagering Operators are only permitted to use and retain a patron's Confidential Information and Personally Identifying Information to operate its Sports Wagering product, or to comply with any applicable law, regulation, court order, subpoena, or civil investigative demand of a governmental entity. To the extent an Operator seeks to use a patron's data for other purposes, an Operator is required to obtain the patron's consent, which may be withdrawn at any time.

Operators are prohibited from certain uses of a patron's data to promote or encourage specific wagers of promotional offers based on information which might suggest a propensity for irresponsible gaming. To further promote responsible gaming goals, this regulation further requires Operators to collect and analyze patron data for the purposes of identifying patrons who may benefit from responsible gaming interventions, and developing said interventions.

- 257.03: Sports Wagering Operators are prohibited from sharing a patron's Confidential Information or Personally Identifying Information, except when deemed necessary to operate its Sports Wagering product, or to comply with any applicable law, regulation, court order, subpoena, or civil investigative demand of a governmental entity. Should an Operator do so, 257.03 imposes certain requirements in the agreement between the



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Operator and the entity receiving patron data to ensure the continued protection and security of patron data.

- 257.04: Patrons are provided a process by which to request from a Sports Wagering Operator information regarding their Confidential Information or Personally Identifiable Information, as well as to request that the Operator erase their data. 257.04 further sets standards governing when it is permissible and not permissible to erase patron data.
- 257.05: Sports Wagering Operators are required to develop, implement and maintain certain policies to address the internal security and protection of patron Confidential Information and Personally Identifiable Information.
- 257.06: In the event of a data breach that implicates patron Confidential Information or Personally Identifiable Information, Sports Wagering Operators are required to investigate the breach and if appropriate, take corrective action, and notify the Commission throughout all steps from discovery to remediation. In addition, Operators must comply with other applicable laws regarding data breach notification.



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## 6/1/23 Discussion Draft

### 205 CMR 257: SPORTS WAGERING DATA PRIVACY

257.01:	Definitions
257.02:	Data Use and Retention
257.03:	Data Sharing
257.04:	Patron Access
257.05:	Data Program Responsibilities
257.06:	Data Breaches

#### 257.01: Definitions

As used in 205 CMR 257.00, the following words and phrases shall have the following meanings, unless the context clearly indicates otherwise:

Data Breach means Breach of Security as that phrase is defined in M.G.L. c. 93H, § 1.

Confidential Information means information related to a Sports Wagering Account, the placing of any Wager or any other sensitive information related to the operation of Sports Wagering including the amount credited to, debited from, withdrawn from, or present in any particular Sports Wagering Account; the amount of money Wagered by a particular patron on any event or series of events; the unique patron ID or username and authentication credentials that identify the patron; the identities of particular Sporting Events on which the patron is Wagering or has Wagered, or the location from which the patron is Wagering, has Wagered, or has accessed their Sports Wagering Account. Confidential Information may also include Personally Identifiable Information.

Personally Identifiable Information means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular patron, individual or household. Personally Identifiable Information includes, but is not limited to, Personal Information as that phrase is defined in M.G.L. c. 93H and 201 CMR 17.00. Personally Identifiable Information may also include Confidential Information.

#### 257.02: Data Use and Retention

- (1) A Sports Wagering Operator shall only use Confidential Information and Personally Identifiable Information as necessary to operate a Sports Wagering Area, Sports Wagering Facility or Sports Wagering Platform, or to comply with M.G.L. c. 23N, 205 CMR, or any other applicable law, regulation, court order, subpoena or civil investigative demand of a governmental entity.
- (2) If a Sports Wagering Operator seeks to use a patron's Confidential Information or Personally Identifiable Information for purposes beyond those specified in 257.02(1), a Sports Wagering Operator shall obtain the patron's consent, which may be withdrawn at any time.
  - (a) Such consent must be clear, conspicuous, and received apart from any other agreement or approval of the patron. Acceptance of general or broad terms of use or similar documents that purport to permit the sharing of Confidential Information or Personally Identifiable Information in the same

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document shall not constitute adequate consent, nor shall hovering over, muting, pausing, pre-selecting, or closing a given piece of content without affirmative indication of consent.

- (b) Consent shall not be deemed to be a waiver of any of the patron's other rights.
  - (c) The option to withdraw such consent must be clearly and conspicuously available to the patron on the Sports Wagering Operator's Sports Wagering Platform. A patron shall not be required to confirm withdrawal of consent more than once, and no intervening pages or offers will be presented to the patron before such confirmation is presented to the patron.
- (3) A Sports Wagering Operator may not use a patron's Personally Identifiable Information or Confidential Information, or any information derived from it, to promote or encourage specific wagers or promotional offers based on:
- (a) a period of dormancy or non-use of a Sports Wagering Platform;
  - (b) the wagers made or promotional offers accepted by other patrons with a known or predicted social connection to the patron;
  - (c) the communications of the patron with any third party other than the Operator;
  - (d) the patron's actual or predicted
    - i. income, debt, net worth, credit history, or status as beneficiary of governmental programs;
    - ii. medical status or conditions; or
    - iii. occupation.
  - (e) Any computerized algorithm, automated decision-making, machine learning, artificial intelligence, or similar system that is known or reasonably expected to make the gaming platform more addictive.
- (4) A Sports Wagering Operator shall only retain a patron's Confidential Information and Personally Identifiable Information as necessary to operate a Sports Wagering Area, Sports Wagering Facility or Sports Wagering Platform or to comply with M.G.L. c. 23N, 205 CMR, or any other applicable law, regulation, court order, subpoena or civil investigative demand of a governmental entity.
- (5) A Sports Wagering Operator shall collect and aggregate patrons' Confidential Information and Personally Identifiable Information to analyze patron behavior for the purposes of identifying and developing programs and interventions to promote responsible gaming and support problem gamblers, and to monitor and deter Sports

Wagering in violation of G.L. c. 23N and 205 CMR. The Sports Wagering Operator shall provide a report to the Commission at least every six months on the Sports Wagering Operator's compliance with this subsection, including the trends observed in this data and the Sports wagering Operator's efforts to mitigate potential addictive behavior.

257.03:      Data Sharing

- (1) A Sports Wagering Operator shall not share a patron's Confidential Information or Personally Identifiable Information with any third party except as necessary to operate a Sports Wagering Area, Sports Wagering Facility or Sports Wagering Platform or to comply with M.G.L. c. 23N, 205 CMR, or any other applicable law, regulation, court order, subpoena, or civil investigative demand of a governmental entity.
- (2) If a Sports Wagering Operator shares a patron's Confidential Information or Personally Identifiable Information pursuant to 257.03(1), the Operator shall take commercially reasonable measures to ensure the party receiving a patron's Confidential Information or Personally Identifiable Information keeps such data private and confidential, except as required to comply with M.G.L. c. 23N, 205 CMR, or any other applicable law, regulation, court order, subpoena, or civil investigative demand of a governmental entity. The party receiving such data shall only use a patron's Confidential Information or Personally Identifiable Information for the purpose(s) for which the data was shared.
- (3) If a Sports Wagering Operator deems it necessary to share a patron's Confidential Information or Personally Identifiable Information with a Sports Wagering Vendor, Sports Wagering Subcontractor, or Sports Wagering Registrant in order to operate its Sports Wagering Area, Sports Wagering Facility or Sports Wagering Platform or to comply with M.G.L. c. 23N, 205 CMR, any other applicable law, regulation, court order, subpoena, or civil investigative demand of a governmental entity, a Sports Wagering Operator shall enter into a written agreement with the Sports Wagering Vendor, Sports Wagering Subcontractor or Sports Wagering Registrant, which shall include, at a minimum, the following obligations:
  - (a) The protection of all Confidential Information or Personally Identifiable Information that may come into the third party's custody or control against a Data Breach;
  - (b) The implementation and maintenance of a comprehensive data-security program for the protection of Confidential Information and Personally Identifiable Information, which shall include, at a minimum, the following:
    - i. A security policy for employees relating to the storage, access and transportation of Confidential Information or Personally Identifiable Information;

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- ii. Restrictions on access to Personally Identifying Information and Confidential Information, including the area where such records are kept, secure passwords for electronically stored records and the use of multi-factor authentication;
  - iii. A process for reviewing data security policies and measures at least annually; and
  - iv. An active and ongoing employee security awareness program for all employees who may have access to Confidential Information or Personally Identifiable Information that, at a minimum, advises such employees of the confidentiality of the data, the safeguards required to protect the data and any applicable civil and criminal penalties for noncompliance pursuant to state and federal law.
- (c) The implementation, maintenance, and update of security and breach investigation and incident response procedures that are reasonably designed to protect Confidential Information and Personally Identifiable Information from unauthorized access, use, modification, disclosure, manipulation or destruction; and
  - (d) A requirement that the maintenance of all Confidential Information and Personally Identifiable Information by a Vendor, Subcontractor or Registrant must meet the standards provided in 257.03.
- (4) Sports Wagering Operators shall encrypt and protect, including through the use of multi-factor authentication, from incomplete transmission, misrouting, unauthorized message modification, disclosure, duplication or replay all Confidential Information and Personally Identifiable Information.

### 257.04: Patron Access

- (1) Patrons shall be provided with a method to make the requests in 205 CMR 257.04(a)-(e). The request must be clearly and conspicuously available to the patron online through the Sports Wagering Operator's Sports Wagering Platform. A patron shall not be required to confirm their request more than once, and no intervening pages or offers will be presented to the patron before such confirmation is presented to the patron.
- (a) A description as to how their Confidential Information or Personally Identifiable Information is being used, including confirmation that such Confidential Information or Personally Identifiable Information is being used in accordance with this Section 205 CMR 257;
  - (b) Access to a copy of their Confidential Information or Personally Identifiable Information maintained by the Operator or a Vendor, Subcontractor, or Registrant of the Operator;

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- (c) Updates to their Confidential Information or Personally Identifiable Information;
  - (d) The imposition of additional restriction on the use of their Confidential Information or Personally Identifiable Information for particular uses; and
  - (e) That their Confidential Information or Personally Identifiable Information be erased when it is no longer required to be retained by applicable law or Court order.
- (2) A Sports Wagering Operator shall provide a written response to a request submitted pursuant to 257.04(1) that either grants or denies the request.
- (a) If the Sports Wagering Operator grants the patron's request to access a copy of their Personally Identifiable Information, the Sports Wagering Operator shall provide the patron their Confidential Information or Personally Identifiable Information in a structured, commonly used and machine readable format.
  - (b) If the Sports Wagering Operator denies the request, the Sports Wagering Operator shall provide in its written response specific reason(s) supporting the denial and directions on how the patron may file a complaint regarding the denial with the Commission.
- (3) A Sports Wagering Operator shall grant the patron's request to impose a restriction or erase their Confidential Information or Personally Identifiable Information if:
- (a) It is no longer necessary to retain the patron's Confidential Information or Personally Identifiable Information to operate a Sports Wagering Area, Sports Wagering Facility or Sports Wagering Platform, or to comply with M.G.L. c. 23N, 205 CMR, or any other applicable law, regulation, court order, subpoena or civil investigative demand of a governmental entity;
  - (b) The patron withdraws their consent to the Sports Wagering Operator's retention of their Confidential Information or Personally Identifiable Information;
  - (c) There is no overriding legal interest to retaining the patron's Confidential Information or Personally Identifiable Information;
  - (d) The patron's Confidential Information or Personally Identifiable Information was used in violation of 205 CMR 257.00; or
  - (e) Restriction or erasure is necessary to comply with an order from the Commission or a court.
- (4) If the Sports Wagering Operator grants the patron's request to erase their Confidential Information or Personally Identifiable Information, the Sports



Wagering Operator shall erase the patron's Personally Identifiable Information or Confidential from all storage media it is currently using to operate a Sports Wagering Area, Sports Wagering Facility or Sports Wagering Platform, including HDD, SDD, flash, mobile, cloud, virtual, RAID, LUN, hard disks, solid state memory, and other devices. The Sports Wagering Operator shall also request confirmation of deletion from any Vendor, Registrant, or Subcontractor who received the patron's Confidential Information or Personally Identifiable Information from the Sports Wagering Operator. Notwithstanding, the foregoing, the Sports Wagering Operator shall not erase a patron's Confidential Information or Personally Identifiable Information on backup or storage media used to ensure the integrity of the Sports Wagering Area, Sports Wagering Facility or Sports Wagering Platform from technology failure or to comply with its data retention schedule or to comply with M.G.L. c. 23N, 205 CMR, or any other applicable law, regulation, court order, subpoena or civil investigative demand of a governmental entity.

- (5) An Operator, or a Vendor, Registrant or Subcontractor of an Operator shall not require a Patron to enter into an agreement waiving any of the Patron's rights under this Section 257.

257.05: Data Program Responsibilities

- (1) A Sports Wagering Operator shall develop, implement and maintain comprehensive administrative, technical and physical data privacy and security policies appropriate to the size and scope of business and addressing, at a minimum:
  - (a) Practices to protect the confidentiality, integrity and accessibility of Confidential Information or Personally Identifiable Information;
  - (b) The secure storage, access and transportation of Confidential Information or Personally Identifiable Information, including the use of encryption and multi-factor authentication;
  - (c) The secure and timely disposal of Confidential Information or Personally Identifiable Information, including data retention policies;
  - (d) Employee training on data privacy and cybersecurity for employees who may have access to Confidential Information or Personally Identifiable Information that, at a minimum, advises such employees of the confidentiality of the data, the safeguards required to protect the data and any applicable civil and criminal penalties for noncompliance pursuant to state and federal law;
  - (e) Restrictions on access to Personally Identifying Information or Confidential Information, including the area where such records are kept, secure passwords for electronically stored records and the use of multi-factor authentication;

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- (f) Reasonable monitoring of systems, for unauthorized use of or access to Confidential Information or Personally Identifying Information;
  - (g) Reasonably up-to-date versions of system security agent software which must include malware protection and reasonably up-to-date patches and virus definitions, or a version of such software that can still be supported with up-to-date patches and virus definitions, and is set to receive the most current security updates on a regular basis;
  - (h) Cybersecurity insurance, which shall include, at a minimum, coverage for data compromise response, identity recovery, computer attack, cyber extortion and network security;
  - (i) Data Breach investigation and incident response procedures;
  - (j) Imposing disciplinary measures for violations of Confidential Information and Personally Identifiable Information policies;
  - (k) Active oversight and auditing of compliance by Vendors, Registrants, or Subcontractors with 257.03(3) and with the Operator's Confidential Information and Personally Identifying Information policies.
  - (l) Quarterly information system audits; and
  - (m) A process for reviewing and, if necessary, updating data privacy policies at least annually.
- (2) A Sports Wagering Operator shall maintain on its website and Sports Wagering Platform a readily accessible copy of a written policy explaining to a patron the Confidential Information and Personally Identifiable Information that is required to be collected by the Sports Wagering Operator, the purpose for which Confidential Information or Personally Identifiable Information is being collected, the conditions under which a patron's Confidential Information or Personally Identifiable Information may be disclosed, and the measures implemented to otherwise protect a patron's Confidential Information or Personally Identifiable Information. A Sports Wagering Operator shall require a patron to agree to the policy prior to collecting any Confidential Information or Personally Identifiable Information, and require a patron to agree to any material updates. Agreement to this policy shall not constitute required consent for any additional uses of information.
- (3) A Sports Wagering Operator, Sports Wagering Vendor, Sports Wagering Subcontractor, Sports Wagering Registrant, or Person to whom an Occupational License is issued shall comply with all applicable state and federal requirements for data security, including M.G.L. c. 93A, M.G.L. c. 93H, 940 CMR 3.00, 940 CMR 6.00 and 201 CMR 17.00.

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### 257.06: Data Breaches

- (1) In the event of a suspected Data Breach involving a patron's Confidential Information or Personally Identifiable Information, a Sports Wagering Operator shall immediately notify the Commission and commence an investigation of the suspected Data Breach, which shall be completed in no less than five (5) days from the discovery of the suspected breach.
- (2) Following completion of the investigation specified pursuant to 257.06(1), the Sports Wagering Operator shall submit a written report to the Commission describing the suspected Data Breach and stating whether any patron's Confidential Information or Personally Identifying Information was subjected to unauthorized access. Unless the Sports Wagering Operator shows that unauthorized access did not occur, the Sports Wagering Operator's written report shall also detail the Operator's plan to remediate the Data Breach, mitigate its effects, and prevent Data Breaches of a similar nature from occurring in the future.
- (3) Upon request by the Commission, the Sports Wagering Operator shall provide a report from a qualified third-party forensic examiner, the cost of which shall be borne by the Sports Wagering Operator being examined.
- (4) In addition to the other provisions of this 205 CMR 257.06, the Sports Wagering Operator shall be required to comply with any other legal requirements applicable to such Data Breaches or suspected Data Breaches, including its obligations pursuant to G.L. c. 93H and 201 CMR 17.00.



## **SMALL BUSINESS IMPACT STATEMENT**

The Massachusetts Gaming Commission (“Commission”) hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2, relative to the proposed amendments to **205 CMR 257 SPORTS WAGERING DATA PRIVACY**.

This regulation was promulgated as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is authorized by G.L. c. 23N, §4. It governs the use, protection and retention of patron data by Sports Wagering Operators.

This regulation is unlikely to have an impact on small businesses as it governs the behavior of Sports Wagering Operators who are not small businesses. Under G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

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

This regulation is unlikely to have an impact on small businesses.

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

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

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

No standards applicable to small businesses are set forth. Provided standards are performance standards.

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

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

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

This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.



Massachusetts Gaming Commission

Massachusetts Gaming Commission  
By:

/s/ Caitlin Monahan  
Caitlin W. Monahan, Deputy General Counsel

Dated: May 25, 2023

DRAFT



Massachusetts Gaming Commission



TO: Chair Cathy Judd-Stein  
Commissioner Brad Hill  
Commissioner Jordan Maynard  
Commissioner Eileen O'Brien  
Commissioner Nakisha Skinner

FROM: Caitlin Monahan, Deputy General Counsel  
Mina Makarious, Esq., Anderson & Kreiger

CC: Karen Wells, Executive Director

DATE: May 25, 2023

RE: Amended 205 CMR 138, 238, 247, and 248

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Enclosed for the Commission's review are proposed amended versions of the above-referenced regulations. At its April 25, 2023 meeting, the Commission reviewed prior proposed amendments to the regulations. In light of the pending data privacy regulation, the Commission voted to adopt the amendments, but not file them immediately, in the event that additional revisions were needed. With the data privacy regulation now drafted, we have made the following additional updates to these regulations for your review:

1. 205 CMR 138: *Uniform Standards of Accounting Procedures and Internal Controls*: This regulation now includes the definitions for Confidential Information and Personally Identifiable Information as used in 205 CMR 257 and uses these definitions throughout.
2. 205 CMR 238, *Uniform Standards of Accounting Procedures and Internal Controls for Sports Wagering*: This regulation has also been updated to include the definitions of Confidential Information and Personally Identifiable Information. It has also been updated to cross-reference the required patron consent for use of patron data in 205 CMR 257 (see 205 CMR 238.45(2)(e)).
  - a. Section 238.02(7)(d) is updated to address internal controls unique to Category 2
3. 205 CMR 247, *Uniform Standards of Sports Wagering*: This regulation has been updated to allow only Operators to petition for approval of a new Sports Event or Wager Category (247.03(1)); include a wording preference suggested by representatives of Players' Associations at 247.04(1)(d); clarify the Commission's authority to rescind authorization of Wagering on a particular event in 247.01(8); and to clarify the limitation that promotional offers must be redeemable within a certain period to more closely link it to the purpose of that limitation (i.e., not requiring the maintenance of accounts for extended periods of times where patron would prefer not to keep them) (247.09(3)).



Massachusetts Gaming Commission

4. 205 CMR 248, *Sports Wagering Account Management*: This regulation has been updated to include appropriate cross references to and definitions from 205 CMR 257.



Massachusetts Gaming Commission

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

Section

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- 138.02: Licensee's System of Internal Controls
- 138.03: Records Regarding Company Ownership
- 138.04: Gaming Licensee's Organization
- 138.05: System for Ensuring Employees Are Properly Licensed or Registered
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- 138.68: Expiration of Gaming-related Obligations Owed to Patrons; Payment to the Gaming Revenue Fund
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- 138.70: Technical Standards for Count Room Equipment
- 138.71: Table Game Tournaments and Promotional Events within the Gaming Area
- 138.72: Policies and Procedures for Ensuring a Workplace Free from Unlawful Discrimination, Harassment and Retaliation
- 138.73: Personally Identifiable Information and Confidential Information Security

138.01: Definitions

As used in 205 CMR 138.00, the following words and phrases shall have the following meanings, unless the context clearly indicates otherwise:

Annuity Jackpot means any slot machine payout offered by a gaming licensee, where a patron is entitled to receive cash payments at specified intervals in the future.

Asset Number means a unique number permanently assigned to a slot machine and a slot cash storage box for purposes of tracking that machine and storage box while owned by a gaming licensee.

Bank is defined in M.G.L. c. 167B, § 1.

Cage Supervisor means any person who supervises personnel and functions within the cashiers' cage.

Cash means currency or coin.

Cash Equivalent means a certified check, cashier's check, treasurer's check, personal checks, travelers' check, money order, or other instrument deemed a cash equivalent by the commission.

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Check is defined in M.G.L. c. 106, §§ 3 through 104.

Chief Gaming Executive means the individual employed by a gaming establishment who is responsible for the daily conduct of a gaming licensee's gaming business. Unless the chief gaming executive also serves as the chief executive officer of the gaming licensee, the chief gaming executive shall report directly to the chief executive officer of the gaming licensee.

Closer means the original of the Table Inventory Slip upon which each table inventory is recorded at the end of each shift.

Confidential Information means information related to a Sports Wagering Account, the placing of any Wager or any other sensitive information related to the operation of Sports Wagering including the amount credited to, debited from, withdrawn from, or present in any particular Sports Wagering Account; the amount of money Wagered by a particular patron on any event or series of events; the unique patron ID or username and authentication credentials that identify the patron; the identities of particular Sporting Events on which the patron is Wagering or has Wagered, or the location from which the patron is Wagering, has Wagered, or has accessed their Sports Wagering Account. Confidential Information may also include Personally Identifiable Information.

Debit Card Cash Transaction means a transaction in which a patron obtains cash, chips, plaques, or slot tokens from a cashier by presenting a recognized debit card.

Derogatory Information means issues that have a negative bearing on one's casino credit including such things as a patron credit account being partially or completely uncollectible, checks returned unpaid by the patron's bank, settlements, liens, judgments, other credit problems of the patron, or any other information provided by a gaming licensee's security or surveillance department.

Electronic Fund Transfer is defined in M.G.L. c. 167B, § 1.

Handle means the total value of coins, slot tokens, including foreign slot tokens, currency, coupons, gaming vouchers, and electronic credits invested by a patron to activate the play of a slot machine or other electronic gaming device.

Identification Credential means government issued photo identification which contains the person's signature.

Imprest means the basis on which cashiers' cage and slot booth funds are replenished from time to time in exactly the value of the net of expenditures made from the funds and value received.

Incompatible function means a function that places any person or department in a position to both perpetrate and conceal errors or irregularities in the normal course of their duties. For example, anyone recording transactions and having access to assets ordinarily would be considered to be in a position to perpetrate errors or irregularities. Persons may have incompatible functions if such persons are members of departments which have supervisors not independent of each other.

Master Game Report means a record of the computation of the win or loss or, for the game of poker, the poker revenue, for each gaming table, each game, and each gaming day.

Multi-State Jackpot means any progressive slot machine jackpot offered by one or more gaming licensees in conjunction with a licensee from another jurisdiction pursuant to a multi-state progressive slot system agreement.

Opener means the duplicate copy of the table inventory slip upon which each table inventory is recorded at the end of each shift and serves as the record of each table inventory at the beginning of the next succeeding shift.

Outstanding Patron Check means any Counter Check or replacement check that is not due for

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deposit or presentation pursuant to 205 CMR 138.45 and has not in fact been deposited or presented for payment or redeemed by the drawer.

Patron Check means a Counter Check or a replacement check.

Patron Deposit means the total value of cash, cash equivalents, complimentary cash gifts, slot tokens, prize tokens, gaming chips or plaques deposited with a gaming licensee by a patron for his or her subsequent use pursuant to 205 CMR 138.40.

Personally Identifiable Information means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular patron, individual or household. Personally Identifiable Information includes, but is not limited to, Personal Information as that phrase is defined in M.G.L. c. 93H and 201 CMR 17.00. Personally Identifiable Information may also include Confidential Information.

Poker Revenue means the total value of rake charged to patrons at all poker tables pursuant to 205 CMR.

Replacement Check means a counter check which replaces one or more previously issued counter checks.

Slot Drop Container shall include slot drop buckets, slot drop boxes and slot cash storage boxes.

Slot Machine Drop means the total value of coins, slot tokens, and foreign slot tokens in a slot drop bucket or a slot drop box, the total value of currency, gaming vouchers and coupons in a slot cash storage box, and the total value of electronic credits withdrawn from patron accounts, if applicable.

Slot Machine Win means the value of the drop less any jackpots paid less any change to the hopper inventory.

Supervisor means a key gaming employee or gaming employee employed in the operation of a gaming establishment in a supervisory capacity or empowered to make discretionary decisions which regulate gaming operations, including but not limited to, boxpersons, floorpersons, pit bosses, poker shift supervisors, table games shift managers, the gaming manager, and the assistant gaming manager.

Suspicious Gaming Voucher means any gaming voucher that appears to have been counterfeited, tampered with or altered in any way that would affect its integrity, suitability, validity or value.

Table Game Drop means the sum of the total value of currency, coin, or coupons deposited in the drop box at a gaming table.

Table Game win or loss means the amount of table game drop minus the change in the tables chip inventory, including chips issued during fills and chips removed during credits for tables other than poker tables.

Third Party Check means a check endorsed by its payee to another party who becomes the holder in due course.

Unscanned Gaming Voucher means any gaming voucher that a gaming licensee elects to redeem when its gaming voucher system or any component thereof is inoperable and, as a result, the system is unable to determine the validity of the voucher.

Unsecured Currency, Unsecured Gaming Voucher, Unsecured Ticket, and Unsecured Coupon means currency, a voucher, ticket, or coupon found inside a bill changer but outside

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a bill validator box.

Unverified Gaming Voucher means any gaming voucher, other than a suspicious gaming voucher, that the gaming voucher system fails to verify and electronically cancel in the system when it is presented for redemption and scanned.

Wire Transfer means a transfer of funds through Fedwire Funds Service as governed by 12 CFR Part 210, Subpart B - *Funds Transfers Through Fedwire*.

138.02: Licensee's System of Internal Controls

(1) At least 60 days prior to commencing operations a gaming licensee shall submit to the commission its proposed minimum system of internal procedures and administrative and accounting controls (internal controls) in accordance with 205 CMR 138.02(4). An Operations Certificate shall not be issued to a gaming licensee for the commencement of gaming operations in accordance with 205 CMR until the submission is approved in accordance with 205 CMR 138.02(2). The commission or its designee may perform any inspection necessary in order to determine conformance with the approved internal controls.

(2) The commission shall refer the proposal submitted in accordance with 205 CMR 138.02(1) to the Executive Director who shall review the submission for compliance with M.G.L. c.23K, 205 CMR 138.00 and other applicable sections of 205 CMR. Upon completion of review the Executive Director shall either approve the submission or advise the gaming licensee in writing of any deficiency, and may include any other recommendations and/or required changes intended to ensure that a robust system of internal controls is implemented. The gaming licensee may either accept a recommendation or required change in writing or advise the Executive Director in writing as to the reason for its disagreement. The gaming licensee may dispute any determination or recommendation made by the Executive Director to the commission which shall resolve the issue.

The commission or the Executive Director may revisit any provision of the internal controls at any time and direct adjustment if necessary, and provide for a reasonable implementation period, to ensure that a robust system of internal controls is in effect. Upon approval by the Executive Director the gaming licensee shall be issued a writing evidencing the approval of its internal controls including any associated conditions.

(3) At least 15 business days prior to changing any provision of the approved internal controls a gaming licensee shall submit the proposed change, including an explanation therefor, and new certifications from its chief legal and financial officers consistent with 205 CMR 138.02(4)(i) and (j), to the commission. The commission shall refer the proposed change to the Executive Director who shall review the proposal to determine whether it complies with 205 CMR 138.00. Changes to the system of internal controls will generally be permitted if the proposed change does not lessen the applicable administrative, accounting, or physical control. Upon completion of review the Executive Director shall either approve the proposed change or advise the gaming licensee in writing as to why the proposal does not comply with 205 CMR 138.00. The gaming licensee may appeal the Executive Director's determination to the commission which shall resolve the issue. Approved changes shall be maintained as part of the approved internal controls.

Modifications to internal controls may not be implemented until approved by the Executive Director or the commission. Provided, however, if the Executive Director does not object or otherwise respond to the submission in writing within 15 business days of receipt of the submission, the gaming licensee may make the proposed change subject to further direction by the Executive Director in accordance with 205 CMR 138.02(3).

(4) The internal controls shall include the following:

(a) Administrative controls which include, as their primary objective, policies and procedures designed to assure that all activities and transactions of the gaming licensee are instituted and completed in accordance with the applicable policy and/or procedure.

(b) Accounting controls, as detailed in 205 CMR, which include, as their primary objective, procedures to assure that all activities and transactions of the gaming licensee

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are accurately reported and recorded in accordance with generally accepted accounting principles.

(c) Reporting controls which shall include policies and procedures for the timely reporting of economic and social impact reports, and standard financial and statistical reports and information in accordance with 205 CMR.

(d) Surveillance controls as detailed in 205 CMR 141.00: *Surveillance of the Gaming Establishment*.

(e) Physical controls which include, as their primary objective, the safeguarding of company assets to include safeguards in the form of organizational safeguards, such as segregation of duties between incompatible functions, and physical safeguards such as restricted access to assets and routine security devices such as cameras and locking doors.

(f) A network security plan as described in 205 CMR 143.12: *Network Security*.

(g) A plan to ensure compliance with 205 CMR 140.00: *Gross Gaming Revenue and Tax Remittance and Reporting*.

(h) All applicable policies and procedures required pursuant to 205 CMR 138.04 through 138.70.

(i) A certification by the gaming licensee's chief legal officer that the submitted procedures conform to M.G.L. c. 23K, 205 CMR 138.00, and any applicable regulations referenced therein; and

(j) A certification by the gaming licensee's chief financial officer that the submitted procedures provide adequate and effective controls, establish a consistent overall system of internal procedures and administrative and accounting controls, and conform to generally accepted accounting principles and 205 CMR.

(5) Nothing in 205 CMR 138.00 shall be interpreted so as to limit a gaming licensee's use of technology, provided that, if the gaming licensee intends to utilize any new technology not identified in its initial proposal, it shall submit the changes to its system of internal controls to incorporate the use of any such new technology to the commission which shall refer the proposed change to the Executive Director who shall review the proposal in accordance with 205 CMR 138.02(3).

(6) (a) If a gaming licensee desires to incorporate a provision in its internal controls that is not in conformance with 205 CMR 138.00, or to exclude a provision required by 205 CMR 138.00, it may petition to do so by including its proposal in its internal controls filing, or petition to change a provision of the internal controls in accordance with 138.02(3), along with a citation to the applicable provision of 205 CMR 138.00 and a written explanation as to why the variance is being requested. The Executive Director may allow the variance upon a finding that the proposal is at least equivalent to the relevant provision contained in 205 CMR 138.00 and/or that the proposal is likely to achieve the same outcome as if the provision contained in 205 CMR 138.00 were incorporated. Such variance shall be identified in the written approval issued in accordance with 205 CMR 138.02(2) and a report filed with the commission that identifies the provision of 205 CMR 138.00 that a variance was granted from and provides the general reason the variance was granted. Provided, however, that a gaming licensee may not seek a variance from any of the provisions of 205 CMR 138.40 through 138.47.

(b) In the event that a gaming licensee will be temporarily unable to abide by a provision of its system of internal controls, the Director of the IEB, or his or her designee, may upon request by the gaming licensee grant a limited temporary variance from a provision of the gaming licensee's system of internal controls, provided that such variance shall be for a set period of time not to exceed 48 hours, that the provision at issue shall relate to the gaming operation of the gaming establishment, and that it be based on good cause shown such that the health, safety or welfare of the public or the integrity of gaming will not be adversely impacted. Provided, that a gaming licensee may not seek a

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limited temporary variance from any of the provisions of 205 CMR 138.40 through 138.47. Where the circumstances warrant, such a variance may be renewed by the Director of the IEB, or his or her designee, for one additional 48-hour period. All such requests and determinations shall be documented and submitted to the Executive Director for review as promptly as possible.

- (7) Upon approval in accordance with 205 CMR 138.02(2) and (3), the gaming licensee shall implement and abide by its system of internal controls. The commission and the IEB may take any steps necessary to determine whether the internal controls are being followed and to enforce compliance. The gaming licensee shall periodically compare its approved system of internal controls, as written, to the system actually in place and operating for the purpose of identifying areas of non-compliance, if any, so as to take immediate corrective action. The periodic comparison shall be performed by either independent auditors or internal auditors.
- (8) The gaming licensee shall maintain in its records and at all times a complete set of its system of internal controls in effect at that time.
- (9) When possible, all filings and records required to be submitted to the commission in accordance with 205 CMR 138.00 shall be done electronically unless otherwise directed by the commission.
- (10) To the extent a third-party is involved in or provides any of the internal controls required in 205 CMR 138.00, the gaming licensee's controls must document the roles and responsibilities of the third-party and must include procedures to evaluate the adequacy of and monitor compliance with the third-party's system of internal controls.
- (11) A gaming licensee that is also licensed as a Sports Wagering Operator shall comply with 205 CMR 138.00 as well as 205 CMR 238.00. Where compliance with provisions of both regulations is not possible, the Gaming Licensee shall comply with 205 CMR 138.00 with respect to gaming operations and 205 CMR 238.00 with respect to Sports Wagering Operations and identify its intent to do so in a written system of Internal Controls.

138.03: Records Regarding Company Ownership

All records regarding ownership, as described in 205 CMR, shall be maintained at a location as determined by the gaming licensee; provided that the commission is notified of such location where the records are to be stored. The commission shall be granted prompt and unfettered access to all such records upon request.

138.04: Gaming Licensee's Organization

- (1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include tables of organization, which shall provide for:
  - (a) A system of personnel and chain of command which permits management and supervisory personnel to be held accountable for actions or omissions within their areas of responsibility;
  - (b) The segregation of incompatible functions so that no employee is in a position both to commit an error or to perpetrate a fraud and to conceal the error or fraud in the normal course of his or her duties;
  - (c) Primary and secondary supervisory positions which permit the authorization or supervision of necessary transactions at all relevant times; and
  - (d) Areas of responsibility which are not so extensive as to be impractical for one person to monitor.
- (2) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR

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138.02 shall include provisions detailing the structure, function, and area of responsibility for the following mandatory departments and supervisory positions, with each of the mandatory departments and supervisors cooperating with, yet performing independently of, all other mandatory departments and supervisors of the gaming licensee as follows:

- (a) A surveillance department supervised by an executive who shall be responsible for the management of the surveillance department. The chief surveillance executive shall be subject to the reporting requirements specified in 205 CMR 138.04(4). The surveillance department monitoring room shall be supervised by an individual licensed as a key gaming employee in accordance with 205 CMR 134.00: *Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations* who shall be present in the room at all times or, if not present, be within immediate contact and at a known location at the gaming establishment.
- (b) An internal audit department supervised by an audit department executive. The audit department executive shall be subject to the reporting requirements specified in 205 CMR 138.04(4).
- (c) An IT department supervised by an executive who shall be responsible for the management of the IT department.
- (d) A casino games department supervised by an executive who shall be responsible for the management of the casino games department. The chief casino games executive shall be responsible for the operation and conduct of all authorized games and gaming devices in a gaming establishment
- (e) A security department supervised by an executive who shall be responsible for the management of the security department.
- (f) A gaming accounting department supervised by an executive who shall be responsible for the management of the gaming accounting department. The chief gaming accounting executive shall be responsible for all gaming related accounting control functions.
- (g) A compliance committee consisting of at least three members, at least one of whom shall be independent of the gaming licensee. The compliance committee may consist of less than three members on a temporary basis upon a showing of good cause by the gaming licensee, but, under all circumstances, a compliance committee must include at least one independent member. The compliance committee may be created at either the gaming licensee level or at the level of a parent, holding or intermediary company. The compliance committee shall provide its policies and procedures to the commission, which policies and procedures shall provide for, at a minimum, the following:
  - 1. The monitoring of policies, procedures, material transactions and proposed transactions for purposes of avoiding impropriety or the appearance thereof;
  - 2. The review of payments to individuals and entities and the provision of services, gifts or anything of value to or on behalf of any public official provided, that review of such conduct as it relates to foreign public officials may be performed by legal counsel to the gaming licensee who shall then report their findings to the compliance committee;
  - 3. The review of political contributions;
  - 4. Ensuring compliance with all applicable federal, state and local laws and regulatory requirements;
  - 5. Protecting against unethical or unlawful behavior by employees;
  - 6. The conduct of due diligence reviews and investigations of directors, officers, executive level employees and those entities and individuals having material associations with the gaming licensee; and
  - 7. Providing the commission with the minutes of its meetings within 45 days of the conduct of those meetings. If necessary, minutes in draft form may be submitted

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followed by final minutes when approved.

(h) An independent audit committee consisting of at least three members provided, however, that the independent audit committee may be comprised of less than three members on a temporary basis upon a showing of good cause to the commission. The independent audit committee may be created at either the gaming licensee level or at the level of a parent, holding or intermediary company. The Committee shall provide the commission with the minutes of its meetings within 45 days of the conduct of those meetings. If necessary, minutes in draft form may be submitted followed by final minutes when approved.

(3) Each mandatory department shall be supervised at all times by at least one individual who has been licensed as a key gaming employee in accordance with 205 CMR 134.00: *Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations.*

(4) The chief executives of the surveillance and internal audit departments required by 205 CMR 138.04(2) shall comply with the following reporting requirements:

(a) Each executive shall report directly to the chief gaming executive of the gaming licensee regarding administrative matters and daily operations provided, however, a gaming licensee may allow each of these executives to report directly to a management executive of the licensee other than the chief gaming executive if that management executive reports directly to the chief gaming executive.

(b) Each executive shall report directly to one of the following persons or entities regarding matters of policy, purpose, responsibility, and authority. The hiring, termination, and salary of each executive shall also be controlled by one of the following persons or entities:

1. The independent audit committee of the gaming licensee's board of directors;
2. The independent audit committee of the board of directors of any holding company of the gaming licensee which has absolute authority to direct the operations of the gaming licensee;
3. The senior surveillance or internal audit executive of any holding company included in 205 CMR 138.04(4)(b)2. if such executive reports directly to the independent audit committee of the board of directors of the holding company; or
4. For gaming licensees or holding companies which are not corporate entities, the non-corporate equivalent of any of the persons or entities listed in 205 CMR 138.04(4)(b)1. through 3.

(5) In the event of a vacancy in the chief executive officer position, the chief gaming executive, or in any executive position responsible for management of one of the mandatory departments set forth in 205 CMR 138.04(2)(a) through (f), the gaming licensee shall:

(a) Provide written notice to the commission no later than five days from the date of the vacancy, advising of the following:

1. The vacant position;
2. The date on which the position became vacant; and
3. The date on which it is anticipated that the vacancy will be filled on a permanent basis.

(b) Within 30 days, the gaming license shall either fill the vacant position described in 205 CMR 138.04(5) on a permanent basis or designate an individual to assume the duties and responsibilities of the vacant position on a temporary basis, which appointment shall not exceed 120 days, subject to extension upon approval by the commission. An individual temporarily designated shall not simultaneously function as the department supervisor for any department identified in 205 CMR 138.04(2) and such individual's areas of responsibility shall not be so extensive as to be impractical for one individual to



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monitor.

(c) Within five days of filling any vacancy, whether on a temporary or permanent basis, the gaming licensee shall provide written notice to the commission advising of the following:

1. The position;
2. The name of the person designated;
3. The date that the vacancy was filled; and
4. An indication of whether the position has been filled on a temporary or permanent basis.

(6) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR

138.02 shall include, and a gaming licensee shall maintain on file, a current table of organization delineating the lines of authority for all personnel engaged in the operation of the gaming establishment, which shall, for each department and division, include direct and indirect lines of authority within the department or division.

(7) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR

138.02 shall include a plan for ensuring that all gaming employees employed in the gaming establishment are properly trained in their respective professions. Proper training of a gaming employee in the respective field for which the gaming employee is or shall be employed by the gaming licensee may be established as follows:

- (a) Satisfactory completion by the employee of a course of instruction in the employee's respective field provided by a person recognized by the commission as a certified training school in accordance with 205 CMR 137.00: *Gaming Schools*;
- (b) Satisfactory completion by the employee of a course of instruction or on the job training program provided by the gaming licensee in the employee's respective field;
- (c) Relevant prior work experience of the employee in the employee's respective field; or
- (d) Other relevant training or experience.

138.05: System for Ensuring Employees Are Properly Licensed or Registered

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a plan for ensuring that all individuals employed in the gaming establishment are properly licensed or registered in accordance with 205 CMR 134.01: *Key Gaming Employee Licensees*, 134.02: *Gaming Employee Licensees*, and 134.03: *Gaming Service Employees*, and 235.00: *Sports Wagering Occupational Licenses*. The system of internal controls shall include without limitation the following:

- (a) Procedures for assuring that only properly licensed and/or registered individuals are employed in each position for which a license or registration is required;
- (b) Procedures to prepare and submit petitions for temporary licenses to individuals for employment in the gaming establishment pursuant to 205 CMR 134.12: *Temporary Licenses* or 205 CMR 235.06: *Temporary Occupational Licenses*;
- (c) Procedures to assure the timely renewal of licenses and registrations of individuals employed in the gaming establishment;
- (d) Procedures for terminating or suspending, or modifying the relevant responsibilities of, the employment of individuals licensed or registered pursuant to 205 CMR 134.01: *Key Gaming Employee Licensees*, 134.02: *Gaming Employee Licensees*, 134.03: *Gaming Service Employees*, or *Sports Wagering Occupational Licenses*, 235.00, within 24 hours of notification from the commission that the license, registration, or application of such

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individual has been revoked, suspended, or denied; and

(e) Procedures for compliance with the employee reporting information required to be submitted to the commission on a bi-monthly basis in accordance with 205 CMR 138.05(2).

(2) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a plan for reporting the following to the commission on a bi-monthly basis and in a format as directed by the commission. For each individual licensed or registered in accordance with 205 CMR 134.00: *Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations*, 205 CMR 234.00: *Sports Wagering Vendors*, and 205 CMR 235.00: *Sports Wagering Occupational Licenses*:

- (a) License or registration number;
- (b) Last name, first name, middle initial;
- (c) Date of birth;
- (d) Position or job title, represented by a job code that corresponds with a position or job title in the gaming licensee's job compendium;
- (e) Initial hire date;
- (f) Effective date of any change in individual's position or job title;
- (g) Access code, if any, assigned to the individual, designating the restricted areas that the individual is permitted to enter;
- (h) For each individual who has been suspended or terminated since the most recent prior report was submitted to the commission:
  - 1. The information in 205 CMR 138.05(2)(a) through (g); and
  - 2. The effective date of suspension or termination.
- (i) A record of any and all designations to describe categories of employees, including without limitation, "full time," "part time" or "seasonal;" the number of individuals in each category; and the total number of individuals in all categories.
- (j) The date on which the information submitted in the report was compiled.

138.06: System for Business Dealings with Vendors

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a plan for ensuring that all persons conducting business with a gaming licensee as a vendor to a gaming establishment are properly licensed or registered in accordance with 205 CMR 134.04 or 205 CMR 234.00. The system of internal controls shall include, without limitation, the following:

- (a) Procedures for assuring that only properly licensed and/or registered vendors are conducting business with a gaming licensee;
- (b) Procedures to prepare and submit petitions for temporary licenses of vendors pursuant to 205 CMR 134.12 and 205 CMR 234.07;
- (c) Procedures to assure the timely renewal of licenses and registrations of vendors; and
- (d) Procedures for terminating or suspending the conduct of business with a vendor licensed or registered pursuant to 205 CMR 134.00 or 205 CMR 234.00 within 24 hours of notification from the Commission that the license, registration, or application of such vendor has been revoked, suspended, or denied.

(2) The system of internal controls submitted by a gaming licensee in accordance with

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205 CMR 138.02 shall include a plan for providing a Disbursement Report to the Commission on a bi-monthly basis and in a format as directed by the Commission. The Disbursement Report shall reflect, for each vendor licensed or registered in accordance with 205 CMR 134.04 or 205 CMR 234.00, the following information:

- (a) Name of vendor;
- (b) Vendor license or registration number;
- (c) The amount of each individual disbursement drawn by the gaming licensee to the vendor, and the amount of each individual disbursement drawn by the vendor to the gaming licensee;
- (d) The date of each disbursement;
- (e) The total of all disbursements made during the reporting period by vendor; and
- (f) The date and amount of any payment to or from a vendor subsequently voided or corrected.

(3) Agreements with Vendors. Each gaming licensee shall maintain a fully signed copy of every written agreement and records with respect to every unwritten agreement to which it is a party which provide, at a minimum, the terms of the agreement, the parties to the agreement, a description of the goods and/or services to be provided under the agreement, and details regarding the exchange of direct compensation under the agreement including, but not limited to, dollar amounts for any person doing business for the benefit of the gaming licensee and/or the gaming establishment, any person doing business relating to the construction, maintenance, renovation, and/or expansion of the gaming establishment, and any person doing business on the premises of the gaming establishment.

138.07: Floor Plans

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions for the production and updating of a floor plan for the gaming establishment. Further, provisions shall be included to ensure that no gaming operations or Sports Wagering occur without an approved floor plan, and that the configuration of the gaming area remains compliant with the approved plan at all times unless amended in accordance with the process outlined by 205 CMR 138.07(2) or (3). The initial floor plan for a gaming establishment resulting from the process described in 205 CMR 138.07 shall be reviewed as part of the 205 CMR 138.02 approval process.

The gaming area depicted in a floor plan shall be arranged in such a manner as to provide optimum security for the gaming operations. A floor plan shall accurately depict the entire layout, including equipment positioning, in the gaming area and support areas; shall be drawn to at least  $\frac{1}{8}$  scale ( $\frac{1}{8}$  = one foot); and shall depict, at a minimum, the location of the following:

- (a) The gaming area, and any simulcasting facility or Sports Wagering Area including, at a minimum, the proposed total square footage thereof and a clear delineation of the respective perimeter of each;
- (b) Each gaming pit, its pit location number, and any alternate configurations;
- (c) Each table game, noting its table number;
- (d) Each CCTV camera, noting its type and camera number;
- (e) Each slot booth, noting its booth number;
- (f) Each cashier's cage and its component offices and areas;
- (g) Each window at the cashiers' cage, noting its window number;

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- (h) Each count room;
  - (i) Each slot zone, its slot zone location letter or number and the total number of authorized slot machine locations within that slot zone, and at the gaming licensee's option, a maximum of four alternate configurations or locations for that slot zone and the alternate slot zone location number for each (for example, Slot Zone 2A);
  - (j) Each authorized slot machine or other electronic gaming device location, which location shall contain no more than one slot machine at a time, noting its slot machine location number and any slot zone location letter or number;
  - (k) Each automated coupon redemption kiosk, noting its location number;
  - (l) Each automated jackpot payout machine, noting its location number;
  - (m) Each gaming voucher redemption kiosk, noting its location number;
  - (n) Each satellite cage and its component offices and areas;
  - (o) Each area approved for the storage of gaming chips or plaques;
  - (p) Each room or area approved for the storage of dice or playing cards;
  - (q) Each other room or area that is accessible directly from the gaming area;
  - (r) For those establishments with a simulcasting facility:
    - 1. Each simulcast counter and any ancillary simulcast counter, along with their component offices, areas and equipment;
    - 2. Each credit voucher machine, noting its location number;
    - 3. Each self-service pari-mutuel kiosk, noting its location number; and
    - 4. Each other area or room designated by the commission.
  - (s) For those gaming establishments with a Sports Wagering Area:
    - 1. Each Sports Wagering counter and any ancillary Sports Wagering counter, along with their component offices, areas and equipment;
    - 2. Each credit voucher machine, noting its location number;
    - 3. Each Sports Wagering Kiosk, noting its location number; and
    - 4. Each other area or room designated by the commission.
- (2) Temporary Amendments to Floor Plan.
- (a) In order to temporarily amend the floor plan approved in accordance with 205 CMR138.07(1) and reconfigure one or more approved table game pit areas or slot machine zones (areas) in the gaming area, a gaming licensee must first seek the Bureau's approval by filing a written request with the Bureau at least 24 hours prior to implementing such reconfiguration. The request shall be accompanied by a certification from the licensee's surveillance department that adequate surveillance coverage will be in place for the temporary reconfiguration. If the gaming licensee does not receive a response from the Bureau within 24 hours of submitting the request, the gaming licensee may proceed with the reconfiguration. (Movement of a slot machine must also be done in accordance with 205 CMR 144.00: *Approval of Slot Machines and Other Electronic Gaming Devices and Testing Laboratories*). The Bureau may deny any request that will result in a violation of any law, regulation, or approved internal control, or may jeopardize the safety and/or security of a patron or the integrity of the gaming operation.

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- (b) A reconfigured gaming area, table game pit, or slot machine zone (area) shall not:
1. Exceed the dimensions approved in the existing approved floor plan for the area unless the request for temporary amendment includes any required approval of the municipal building official. Such approval may be required in instances including, but not limited to, the egress from the gaming floor or area is altered, structural modification is proposed, or the use or occupancy classification for the area is modified;
  2. Result in improper surveillance coverage under the approved surveillance plan.
- (c) Each table game pit shall have an alarm system, approved by the Bureau, which enables an employee of the gaming establishment to transmit a signal that is audibly and visually reproduced in each of the following locations whenever there is an emergency in the pit:
1. The surveillance monitoring rooms;
  2. The security department; and
  3. The on-site Bureau office.
- (d) A temporary reconfiguration may only remain in place for 30 days from approval. Upon request, the Bureau may approve one 30-day extension of the temporary approval. In order for an amendment to the configuration to remain in place for a longer period of time, the amendment process described in 205 CMR 138.07(3) shall be followed.
- (e) All reconfigurations made pursuant to a temporary amendment to an approved floor plan shall be subject to inspection by the Bureau to ensure compliance with all applicable laws and regulations and the gaming licensee's approved system of internal controls.
- (f) The Bureau may approve a request for a temporary amendment to an approved floor plan on less than 24 hours notice in its discretion provided that all pertinent information is provided to its satisfaction.

(3) Amendments to Approved Floor Plan.

- (a) A floor plan approved in accordance with 205 CMR138.07(1) may be amended upon request by a gaming licensee and approval by the Bureau. Such request shall be filed with the Bureau in writing at least 72 hours prior to the time for which implementation of the amendment(s) is sought. Such request shall include, at a minimum, the following information as applicable:
1. A depiction of any new configuration to the gaming area, a table game pit, or a slot machine zone (area) in comparison with the existing configuration;
  2. A depiction of any new outer perimeter of the gaming area, table game pit area, or slot machine zone (area) in comparison with the existing perimeter;
  3. A statement of the resulting square footage of the area to be amended in comparison with the existing square footage for the area;
  4. A narrative from a design professional certifying the changes to the floor plan, and/or any necessary approval from the municipal building official; and
  5. Identification of any necessary amendments to the gaming licensee's surveillance plan to ensure adequate coverage of the configuration.
- (b) Within 72 hours of receipt of a request to amend a floor plan filed by a gaming licensee, the Bureau, shall review the proposed change set forth in the application to ensure that it will not result in a violation of any law, regulation, or approved internal control, or may jeopardize the safety and/or security of a patron or the integrity of the gaming operation. After review, the Bureau may preliminarily approve the request, deny

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the request, request further information from the gaming licensee, or request that the licensee's request be modified. The gaming licensee shall not implement any changes until receiving preliminary approval from the Bureau.

(c) The gaming licensee shall notify the Bureau in writing upon implementing a preliminarily approved amendment to the floor plan. The Bureau shall inspect the physical changes to ensure that they conform to the approved amendment. Following such inspection the Bureau may issue a final approval for the amendment, request that changes be made to conform to the preliminary approval, or request that changes be made to ensure compliance with applicable laws, regulations, or approved internal controls, or to ensure the safety and/or security of a patron or the integrity of the gaming operation.

(4) An approved copy of the floor plans, and amendments thereto, shall be filed with the Bureau in the gaming establishment. A copy shall be kept on file with the gaming licensee's security office, and with the gaming licensee's monitoring rooms.

(5) Prior to commencing gaming operations with the amended configuration, an updated Table Games Master List shall be filed to ensure compliance with 205 CMR 138.66(3)(a).

138.08: Accounting Records

(1) A gaming licensee shall maintain complete, accurate, and legible records of all transactions pertaining to the revenues and costs for the gaming establishment, including those required in accordance with 205 CMR.

(2) General accounting records shall be maintained on a double entry system of accounting with transactions recorded on the accrual basis. Detailed, supporting, subsidiary records sufficient to meet the requirements of 205 CMR shall also be maintained.

138.09: Retention, Storage and Destruction Records

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a records retention schedule, and provisions related to the storage and destruction of records that at a minimum incorporates the following provisions:

(a) The following records shall be retained indefinitely, unless permission for destruction is requested by the gaming licensee and approved by the commission:

1. Corporate records required by 205 CMR 138.02;
2. Records of corporate and due diligence investigations and associated procedures;
3. Current employee personnel files; and
4. A record of any record destroyed, identifying the particular record, the period of retention and the date of destruction.

(b) All financial, accounting, contract, payroll, personnel, employee and budget documents shall be retained for the periods prescribed in sections D and E of the *Massachusetts Statewide Records Retention Schedule*, 02-11. (References in the *Schedule* to the state comptroller, state accounting system and other similar terms shall be read to refer to the Licensee and its accounting systems).

(c) All tax return filings and related records referenced in section L3 Tax Filing #1 of the *Massachusetts Statewide Records Retention Schedule*, 02-11 shall be retained for six years.

(d) All tax revenue accounting records referenced in section L5 Tax Collection #12 of the *Massachusetts Statewide Records Retention Schedule*, 02-11 shall be retained in accordance with the periods prescribed in the *Schedule*.

(e) In addition to those records referenced in 205 CMR 138.09(1)(a) through (d), the Licensee's records retention schedule shall include provisions by category relative to:

1. All gaming related records;

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2. Security related records;
  3. Surveillance related records (subject to 205 CMR 141.05(7));
  4. Records relative to junkets; and
  5. Records relative to vendors
- (2) (a) A gaming licensee may petition the commission at any time for approval of a facility off the site of the gaming establishment to be used to generate or store records required to be retained in accordance with 205 CMR 138.09(1). Such petition shall include:
1. A detailed description of the proposed off-site facility, including security and fire safety systems; and
  2. The procedures pursuant to which commission agents will be able to gain access to the records retained at the off-site facility.
- (b) A gaming license may store any records electronically or via other suitable medium.
- (3) A gaming licensee shall, except as otherwise provided, notify the commission and the Gaming Enforcement Division of the Massachusetts Attorney General's Office in writing at least 60 days prior to the scheduled destruction of any record required to be retained in accordance with 205 CMR 138.09(1). Such notice shall list each type of record scheduled for destruction, including a description sufficient to identify the records included; the retention period; and the date of destruction.
- (4) The commission or the Gaming Enforcement Division of the Massachusetts Attorney General's Office may prohibit the destruction of any record required to be retained in accordance with 205 CMR 138.09(1) by so notifying the gaming licensee in writing within 45 days of receipt of the notice of destruction pursuant to 205 CMR 138.09(3) or within the specified retention period. Such original record may thereafter be destroyed only upon notice from the commission, the IEB, the Massachusetts Attorney General's Office, or by order of the commission upon the petition of the gaming licensee or by the commission on its own initiative.
- (5) The gaming licensee may utilize the services of a disposal company for the destruction of any records required to be retained in accordance with 205 CMR 138.09(1) except those related to credit. Any cash complimentary coupons to be destroyed by a disposal company shall be cancelled with a void stamp, hole punch or similar device, or must contain a clearly marked expiration date which has expired.
- (6) Nothing in 205 CMR 138.00 shall be construed as relieving a gaming licensee from meeting any obligation to prepare or maintain any book, record or document required by any other federal, state or local governmental body, authority or agency or as otherwise required in its capacity as a Sports Wagering Operator pursuant to M.G.L. c. 23N and 205 CMR.

138.10: Jobs Compendium Submission

- (1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a jobs compendium detailing job descriptions, chains of command, and lines of authority for all personnel engaged in the operation of the gaming establishment. The licensee shall maintain and update the jobs compendium on a regular basis.
- (2) A jobs compendium shall include the following sections, in the order listed:
  - (a) An alphabetical table of contents listing the position title and job code for each job description included in 205 CMR 138.10(1) and the page number on which the corresponding job description may be found;
  - (b) A table of organization for each department and division, including all positions, and illustrating by position title, direct and indirect lines of authority within the department or

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division. Each page of a table of organization shall specify the following:

1. The date of its submission;
2. The date of the previously submitted table of organization which it supersedes; and
3. A unique title or other identifying designation for that table of organization.

(c) A description of each employee position which accurately corresponds to the position title as listed in the table of organization and in the alphabetical table of contents. Each position description shall be contained on a separate page, organized by departments or divisions, and shall include, at a minimum, the following:

1. Position title and corresponding department;
2. Job duties and responsibilities;
3. Detailed descriptions of experiential or educational requirements;
4. Proposed registration or license rank consistent with 205 CMR 134.01 through 134.03;
5. The date of submission of each employee position job description and the date of any prior job description it supersedes; and
6. The date of submission and page number of each table of organization on which the employee position title is included.

(3) A proposed amendment to a previously approved jobs compendium for any job position requiring licensure or registration, including any amendment to a table of organization, may be implemented by the gaming licensee without the prior approval of the commission in accordance with 205 CMR 138.02(3), provided that:

(a) The amendment is immediately recorded in the jobs compendium maintained by the licensee on its premises; and

(b) The amendment is submitted to the commission by the end of the business day on the date of implementation including, at a minimum, the following:

1. A detailed cover letter listing by department each position title to which modifications have been made, a brief summary of each change, instructions regarding any changes in page numbers and the date of implementation; and
2. The proposed changes to the information required by 205 CMR 138.10(2), including the corresponding job descriptions and tables of organization, contained on pages which may be used to substitute for those sections of the jobs compendium previously approved by the commission.

(4) If a gaming licensee wishes to amend a job description for any position which has been exempted from the registration requirements pursuant to 205 CMR 134.03(b), it shall be required to obtain the approval of the commission in advance of implementing such change. The request for approval shall contain, at a minimum, the following:

(a) A detailed cover letter listing by department the position title to which modifications are to be made, a brief summary of each change, instructions regarding any changes in page numbers and the date of implementation; and

(b) The proposed changes to the information required by 205 CMR 138.10(2), including the corresponding job description and tables of organization, contained on pages which may be used to substitute for those sections of the jobs compendium previously approved by the commission.

(5) Notwithstanding any other requirement of 205 CMR, each gaming licensee shall submit a complete and up-to-date jobs compendium in accordance with 205 CMR 138.02 to the commission 18 months after approval of its system of internal controls in accordance with



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205 CMR 138.02 and every two years thereafter, unless otherwise directed by the commission.

- (6) Each gaming licensee shall maintain on its premises a complete, updated copy, which may be maintained electronically, of its jobs compendium.
- (7) No provision of 205 CMR 138.00 shall be construed so as to limit a gaming licensee's discretion in utilizing a particular job title for any position in its jobs compendium.

138.11: Personnel Assigned to the Operation and Conduct of Gaming

Each gaming licensee shall be required to employ the following personnel in the operation of its gaming establishment regardless of the position titles assigned to such personnel by the gaming licensee in its approved jobs compendium:

- (1) Each gaming licensee shall at all times maintain a level of staffing that ensures the proper operation and effective supervision of all authorized games and simulcast wagering in the gaming establishment.
- (2) Each gaming licensee shall be required to employ a gaming manager. The gaming manager shall be the executive assigned the responsibility and authority for the supervision and management of the overall operation of a gaming licensee's casino games department including, without limitation, the hiring and terminating of all gaming establishment employees.
  - (a) In the absence of the gaming manager and the assistant gaming manager, should the gaming establishment have an assistant gaming manager, a table games shift manager or slot shift manager, as applicable, who is employed within the casino games department shall be designated by the gaming licensee as the person responsible for the overall operation of the casino games department and such person shall have the authority of a gaming manager.
  - (b) The slot department shall be supervised and managed by a slot department manager/shift manager at all times in accordance with 205 CMR 138.11(4)(h)5.
- (3) The following personnel shall be used to operate the table games in a gaming establishment:
  - (a) Gaming clerk shall be the employee located at a desk in the pit to prepare documentation required for the operation of table games including, without limitation, Requests for Fills, Requests for Credits, Counter Checks and documents that evidence the exchange of gaming chips or plaques.
  - (b) Dealers shall be the employees assigned to each table game to directly operate and conduct the game.
  - (c) Stickperson shall be the dealer assigned to each craps table to control the dice and may be responsible for the proposition wagers made at the craps table. A stickperson may also be assigned to a mini-craps table, in addition to the required dealer, to control the dice and may be responsible for the proposition wagers made at the mini-craps table.
  - (d) Boxperson shall be the first level supervisor assigned the responsibility of directly participating in and supervising the operation and conduct of the craps game.
  - (e) Floorperson shall be the second level supervisor assigned the responsibility for directly supervising the operation and conduct of a craps game, and the first level supervisor assigned the responsibility for directly supervising the operation and conduct of all other table games.
  - (f) Pit boss shall be the third level supervisor assigned the responsibility for the overall supervision of the operation and conduct of a craps game and the second level supervisor assigned the responsibility for the overall supervision of the operation and conduct of all other table games other than poker.
  - (g) Poker shift supervisor shall be the supervisor assigned with the responsibility for

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directly supervising all activities related to the operation and conduct of poker. A poker shift supervisor may also supervise table games other than poker in *lieu* of a pit boss.

(h) Table games shift manager shall be the supervisor assigned to each shift with the responsibility for the supervision of table games conducted in the gaming establishment provided, however, that:

1. If a gaming licensee chooses to establish an independent slot department a gaming manager may personally perform the required duties of a table games shift manager when the gaming manager is present in the gaming establishment; and
  2. A gaming licensee may, as part of its revised supervision plan as set forth in 205 CMR 138.11(6), permit its table games shift manager to provide a break, for a reasonable period of time, for a pit boss on duty during the hours of 12:00 A.M. to 12:00 P.M.
- (4) Each gaming licensee shall maintain the following minimum levels of staffing:
- (a) One gaming clerk shall be assigned to the entire gaming establishment;
  - (b) One dealer shall be assigned to each table for any table game other than craps and baccarat;
  - (c) Three dealers shall be assigned to each craps and baccarat table;
  - (d) One boxperson shall be assigned to each craps table;
  - (e) One floorperson shall supervise not more than:
    1. Six tables comprised of any combination of table games excluding baccarat, minibaccarat (when using the dealing procedure in 205 CMR), craps, mini-craps, and pai gow tiles; or
    2. One baccarat table; or
    3. As to the game of minibaccarat, when using the dealing procedure in 205 CMR:
      - a. Two minibaccarat tables using the dealing procedure in 205 CMR; or
      - b. One minibaccarat table using the dealing procedure in 205 CMR and one table of any other table game excluding baccarat, mini-craps and pai gow tiles (unless the pai gow tiles table has continuous, dedicated surveillance camera coverage); or
    4. As to the game of craps:
      - a. Two craps tables; or
      - b. One craps table and one table of any other table game excluding baccarat, mini-craps and pai gow tiles; or
      - c. One mini-craps table.
    5. As to the game of pai gow tiles:
      - a. One pai gow tiles table; or
      - b. Two pai gow tiles tables if the tables are in a side-by-side configuration and continuous, dedicated surveillance camera coverage is maintained for the pai gow tiles tables; or
      - c. One pai gow tiles table with continuous, dedicated surveillance camera coverage and one table of any other table game excluding baccarat, craps and

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mini-craps.

6. As to the game of poker:
  - a. Six poker tables if the poker shift supervisor is supervising both poker tables and table games other than poker; or
  - b. Ten poker tables if the poker shift supervisor is supervising only poker tables; or
  - c. 12 poker tables if the poker shift supervisor is supervising only poker tables and no floorperson assigned to poker by a gaming licensee has any responsibilities for seating players.
- (f) One pit boss shall supervise not more than 24 gaming tables, provided that all of the tables are within view of each other; and
- (g) One poker shift supervisor shall supervise all open poker tables; provided, however, that the poker shift supervisor may supervise a total of not more than 16 poker tables and table games other than poker (in *lieu* of a pit boss) if fewer than 16 poker tables are open.
  1. Notwithstanding the provisions of 205 CMR 138.11(4)(g):
    - a. If a gaming licensee has six or fewer poker tables open for gaming activity, no poker floorperson shall be required and the poker tables may be supervised by the poker shift supervisor, provided that the poker shift supervisor is not supervising any other table games; and
    - b. If a gaming licensee has at least one but fewer than four poker tables open for gaming activity, the poker shift supervisor may supervise any combination of not more than four poker tables and table games other than poker (in *lieu* of a pit boss) and no floorperson shall be required to supervise the poker tables provided that the floorperson supervision requirements for games other than poker are satisfied.
  2. Notwithstanding the provisions of 205 CMR 138.11(4)(g), a gaming licensee may implement a plan for revised supervision by floorpersons, poker shift supervisors, pit bosses or slot shift managers. A plan for revised supervision of table games shall not include any gaming tables at which the cards shall be used for more than 24 hours pursuant to 205 CMR. In any plan for revised supervision:
    - a. One floorperson may supervise not more than eight tables comprised of any combination of table games excluding baccarat, minibaccarat (when using the dealing procedure in 205 CMR, craps, mini-craps, pai gow tiles and blackjack when offering the streak wager permitted under 205 CMR);
    - b. One pit boss may supervise not more than 36 gaming tables, provided that all of the tables are within view of each other;
    - c. One poker shift supervisor may supervise a total of not more than 30 poker tables and gaming tables other than poker (in *lieu* of a pit boss), provided that:
      - i. The poker shift supervisor is supervising all poker tables which are open to the public; and
      - ii. One floorperson may supervise not more than eight poker tables;
    - d. One floorperson may supervise two craps tables and one additional table of any other table game excluding baccarat, minibaccarat (when using the dealing procedure in 205 CMR, mini-craps, and pai gow tiles);
    - e. One floorperson may supervise one craps table and two additional tables comprised of any combination of table games excluding baccarat, minibaccarat,

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mini-craps, and pai gow tiles;

f. One floorperson assigned to poker may supervise not more than 12 poker tables if the poker shift supervisor is supervising only poker tables; and

g. One floorperson assigned to poker may supervise not more than 14 poker tables if the poker shift supervisor is supervising only poker tables and no floorperson assigned to poker has any responsibilities for seating players.

(h) The following personnel shall be used to maintain and operate the slot machines, electronic gaming equipment, and bill changers in a gaming establishment:

1. Slot mechanics shall be the persons assigned the responsibility for repairing and maintaining slot machines, electronic gaming equipment, and bill changers in proper operating condition and participating in the filling of payout reserve containers.

2. Slot attendants shall be the persons assigned the responsibility for the operation of slot machines and bill changers, including, but not limited to, participating in manual jackpot payouts and filling payout reserve containers.

3. Slot supervisors shall be the first level supervisors assigned the responsibility for directly supervising the operation of slot machines and bill changers.

4. Slot shift manager shall be the second level supervisor with the responsibility for the overall supervision of the slot machine and bill changer operation for each shift.

5. The slot department manager shall be the executive assigned the responsibility and authority for the supervision and management of the overall operation of the gaming licensee's slot machines, electronic gaming equipment, and bill changers. In the absence of the slot department manager, the slot shift manager shall have the authority of the slot department manager.

(i) If a gaming licensee will offer automated table games for which part, but not all, of the game play requires manual involvement by an employee, the gaming licensee's staffing plan shall incorporate staffing of these games such that proper operation and effective supervision will be provided.

(5) Nothing in 205 CMR 138.11 shall be construed to limit a gaming licensee from utilizing personnel in addition to those described in 205 CMR 138.11 nor shall anything in 205 CMR 138.11 be construed to limit the discretion of the commission to order the utilization of additional personnel by the gaming licensee as necessary.

(6) The gaming manager or table games shift manager shall notify the IEB no later than 24 hours in advance of implementing or changing any plan for revised supervision for table games, and the slot shift manager, provided, however, that notice may be provided less than 24 hours in advance in circumstances which are emergent or may otherwise not reasonably be anticipated.

(a) Any notice of a plan for revised supervision of table games shall include, without limitation, the following information:

1. The pit number and configuration of any pit affected;

2. The type, location and table number of any table affected;

3. The standard staffing level required for the gaming table or tables and the proposed variance therefrom;

4. The start date and time, and the duration, of the revised supervision; and

5. The basis for the request to revise the number of supervisory personnel, which shall include any relevant factors which demonstrate that proper operation and effective supervision of the affected gaming tables will be maintained, such as, as

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applicable, a showing:

- a. That the revised supervision is justified by a reduced volume of play at the specified times and gaming tables in the gaming establishment;
- b. That the particular dealers or supervisors assigned to the affected tables possess a degree of skill and experience indicative of sufficient ability to operate the affected tables with revised supervision, in which case a record of the personnel assigned to such tables during the period of revised supervision shall be maintained;
- c. That a reduced number of gaming tables will be operating in the affected pits, which are in a configuration to ensure proper supervision and operation; or
- d. Any other facts or circumstances which establish that a revision in the number of supervisory personnel is appropriate.

(b) The commission may, at any time upon 12 hours notice, direct that the plan for revised supervision be terminated and that the licensee maintain standard staffing levels as defined in 205 CMR 138.11.

138.12: Alcoholic Beverage Control

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures designed to ensure compliance with 205 CMR 136.00: *Sale and Distribution of Alcoholic Beverages at Gaming Establishments* including, at a minimum, procedures designed to ensure proper training of employees involved in the service of alcoholic beverages, procedures designed to prevent serving alcoholic beverages to underage or visibly intoxicated individuals, procedures to ensure that visibly intoxicated or impaired patrons are not permitted to play slot machines or table games (as further detailed in 205 CMR 138.14), and procedures to ensure that alcohol is properly secured and stored. If the gaming licensee intends to serve alcoholic beverages between the hours of 2:00 A.M. and 4:00 A.M., it shall include policies and procedures in its alcoholic beverage control submission designed to ensure that such service is only provided to patrons who are in the gaming area and actively engaged in gambling as defined by M.G.L. c. 23K, § 2.

138.13: Complimentary Services or Items and Promotional Gaming Credits

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a detailed complimentary distribution program consistent with M.G.L. c. 23K, § 28 and a description of its proposed use and distribution of promotional gaming credits. The program shall include provisions detailing the protocols and procedures for the distribution of complimentary alcoholic beverages to patrons in the gaming area. Further, if in accordance with 205 CMR 136.07(4), alcoholic beverages will be provided free of charge to patrons in a licensed area outside of the gaming area, and paid for by a third party other than the gaming beverage licensee or jointly responsible person or will be paid for using a form of monetary-like consideration other than money, the gaming licensee shall detail the manner in which such payments will be made and/or accepted and records of the transaction maintained.

(2) The gaming licensee's complimentary distribution program shall be such that reasonable assurance is provided that any complimentary services or items, as defined by M.G.L. c. 23K, § 2, whether provided directly to the patron and the patron's guests by the gaming licensee or indirectly to the patron and the patron's guests on behalf of a third party, are:

- (a) Issued by employees authorized for such purposes in accordance with the program;
- (b) In accordance with M.G.L. c. 23K, § 28(c), valued in an amount based upon the retail price normally charged by the gaming licensee for the service or item. The value of a complimentary service or item not normally offered for sale by a gaming licensee or provided by a third party on behalf of a gaming licensee shall be the cost to the gaming licensee of providing the service or item, as determined under rules adopted by the

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commission;

(c) Recorded, compiled and maintained in such a way so as to allow a system of reporting in accordance with M.G.L. c. 23K, § 28(b) that can report complimentaries by date, issuer, recipient, type, and value.

(3) A gaming licensee may include in its policy and procedure provisions for the discretionary discounting of the amount of an outstanding Counter Check to be redeemed by a patron for any marketing related reason.

(4) The gaming licensee's complimentary distribution program shall include provisions ensuring that each patron who has been issued a rewards card by the gaming licensee (or its parent or other associated entity) in Massachusetts is issued a monthly statement, mailed to the patron at the patron's physical mailing address, which shall include the patron's total bets, wins and losses in Massachusetts in accordance with M.G.L. c. 23K, § 29. For purposes of 205 CMR 138.13(4), the following shall apply:

(a) An email address provided by the patron at the time a rewards card is applied for may be considered a physical mailing address. If a gaming licensee will provide the required notices *via* email, its program submission shall describe the manner in which the email contact list will be compiled and maintained.

(b) Notice of the issuance of a monthly statement shall be provided to the applicant at the time of application for a rewards card. The applicant shall be given the opportunity to decline issuance of a monthly statement at that time. Notice shall also be provided to the applicant that they may later opt-out of being issued a monthly statement by providing a written or online request to the gaming licensee or affiliate. The complimentary distribution program submission shall describe these notice and opt-out provisions.

(c) The program submission shall describe the information to be contained on the monthly statement including the terms and categories to be represented and a brief description as to how monetary figures are to be calculated.

(d) If monthly total bets, wins and losses associated with a rewards card will be available to a patron *via* password protected log-in on the gaming licensee's website, or *via* similar means, the gaming licensee may provide the patron a monthly notice (*via* email or otherwise) advising where the information is available and how to access it, in *lieu* of incorporating the actual information into a monthly statement. If a gaming licensee elects this method the process shall be fully described in its complimentary distribution program submission.

(e) Upon written request by a patron, information relative to total bets, wins and losses associated with the patron's rewards card shall be made available to the patron in writing at a gaming establishment upon reasonable notice.

(f) If there is no gaming activity tied to a patron's rewards card for a period of at least two years the gaming licensee may cease providing notices to the patron in accordance with 205 CMR 138.13(4).

138.14: Internal Control Procedures for Security Department

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions describing the duties and operation of its security department. Such provisions shall include details relative to the design, construction, and location of primary and secondary armored car routes to and from the armored car bay, including provisions for the security of such routes.

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, gaming service employees, and Sports Wagering Occupational Licensees

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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. The system of internal controls related to credentials shall at a minimum incorporate the following credentialing system.

(2) Access Badge System: (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 is properly licensed or registered in accordance with 205 CMR 134.00, 234.00 or 235.00: 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 on-site 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

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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.

138.16: Access to Public and Restricted Areas

(1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions relative to access to restricted areas. No gaming licensee shall permit any individual to have access to any restricted area in its gaming establishment unless such access is permitted in accordance with the gaming licensee's internal controls. Restricted areas shall, at a minimum, include the following areas:

(a) Count Rooms. All employees designated with the "C" access code, as provided by 205 CMR 138.15(1), whose duties require access may enter this restricted area. Employees designated with the "A" and "M" access codes, as provided by 205 CMR 138.15(1), may have access with limitations described under their access letter. Any employee may enter this area with a valid reason, permission of the restricted area supervisor, and permission of an IEB agent on duty.

(b) Cashiers Cage, Satellite Cashiers Cage, Master Coin Bank, Slot Booths, and Runways. All employees designated with the "A" and "C" access codes, as provided by 205 CMR 138.15(1), may enter these restricted areas. Employees must be listed on the cage access list to gain access to the cage. Employees designated with the "M" access code, as provided by 205 CMR 138.15(1), may have access with the limitations described under their access letter. Any licensed employee may enter this area with a valid reason and permission of the restricted area supervisor. The cage secretary and/or a cage area cleaner may enter the cashier's cage without a security escort to complete their job function; however these individuals must have the permission of the cage area supervisor and are the sole responsibility of that supervisor. All employees designated with the "CS" access code, as provided by 205 CMR 138.15(1), may enter the slot booths, and runways. They may enter the cashier's cage only when access is needed to gain entrance to a slot coin booth. At no time shall a "CS" access code, as provided by 205 CMR 138.15(1), have access to the master coin bank.

(c) Slot Repair Room. All employees designated with the "A", "CS", and "S" access code, as provided by 205 CMR 138.15(1), may enter this restricted area. Employees designated with the "M" access code, as provided by 205 CMR 138.15(1), may have access with limitations described under their access letter. Any employee may enter this area with a valid reason and permission of the restricted area supervisor.

(d) Simulcast Counters and Sports Wagering Counters. All employees designated with the "A" and "C" access code, as provided by 205 CMR 138.15(1), may enter this restricted area. Employees designated with the "M" access code, as provided by 205 CMR 138.15(1), may have access with the limitations described under their access letter. Any employee may enter this area with a valid reason and permission of the restricted area supervisor.

(e) Computer Room. All employees designated with the "A" and "M" access code, as provided by 205 CMR 138.15(1), may enter this restricted area. Any licensed employee may enter this area with a valid reason and permission of the restricted area supervisor. A MIS secretary and/or computer room area cleaner may enter the computer room without a security escort to complete their job function, however these individuals must have the permission of the computer room supervisor and shall be the sole responsibility of that supervisor. Any employee may enter this area with a valid reason, permission of the restricted area supervisor, and permission of an IEB agent on duty.

(f) Card and Dice Storage Room. All employees designated with the "A" access code, as provided by 205 CMR 138.15(1), and those games/poker department employees who hold the position of casino/poker shift manager or above may enter this restricted area. Any employee may enter this area with a valid reason and permission of the restricted area supervisor.

(g) Card and Dice Destruction Room. All employees designated with "A" access code,



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as provided by 205 CMR 138.15(1), may enter this restricted area.

(h) Pit Areas. All employees designated with the "A" and "P" access code, as provided by 205 CMR 138.15(1), may enter this restricted area. Employees designated with the "M", and "C" access codes, as provided by 205 CMR 138.15(1), may have access with limitations described under their access letter. Any employee may enter this area with a "valid" reason and permission of the restricted area supervisor.

(i) Surveillance Room and Catwalks. All employees designated with the "A" access code, as provided by 205 CMR 138.15(1), who are surveillance room employees may enter this restricted area. All other employees designated with the "A" access code may have access with the limitations described under their access letter. Employees designated with the "M" access code, as provided by 205 CMR 138.15(1), may have access with the limitations described under their access letter. Anyone who enters this restricted area, who is not a surveillance room employee or a member of the IEB, must sign the surveillance room entry log prior to entering the restricted area. The surveillance room secretary and/or surveillance room area cleaner may enter the surveillance room without a security escort to complete their job function, however these individuals must have the permission of the surveillance room area supervisor and are the sole responsibility of that supervisor. Any employee may enter this area with a valid reason, permission of the restricted area supervisor, and permission of an IEB agent on duty.

(j) Access to Restricted Area for Employees Who Do Not Hold a Gaming Employee License or Occupational License. All employees who would not otherwise be afforded access to a restricted area in accordance with 205 CMR 138.15(1) may be granted access to restricted areas with a valid reason, a security escort, and permission of the restricted area's department manager with limitations on the count rooms, surveillance room. Access may be granted to the count rooms while the counts are not in progress and with permission of the IEB Agent on duty or the Gaming Enforcement Division of the Massachusetts Attorney General's Office. Access to the surveillance room/catwalks may be granted only with a valid work related reason and permission of the Director of Surveillance.

(2) A gaming licensee may deny or limit access to any public areas of the gaming establishment for any reason necessary to ensure public safety and/or the integrity of the gaming operations, including, but not limited to, the following reasons:

(a) Persons excluded in accordance with 205 CMR 133.00: *Voluntary Self Exclusion* or M.G.L. c. 23K, § 45;

(b) Persons excluded in accordance with 205 CMR 233.00: *Sports Wagering Voluntary Self-Exclusion* or M.G.L. c. 23N, § 13;

(c) Underage persons in a prohibited area;

(d) Players required by a gaming licensee to leave the game of poker in accordance with 205 CMR.

(3) Nothing in 205 CMR 138.16 or a gaming licensee's system of internal controls shall limit the authority of commission employees or agents or the Gaming Enforcement Division of the Massachusetts Attorney General's Office from obtaining access to restricted areas in the performance of their respective duties and responsibilities.

138.17: Searches of Employees and the Workplace by the Gaming Licensee

(1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include internal policies and procedures for the gaming licensee's security department to conduct searches of employees, including screening for drugs and alcohol, and employee workplaces, workspaces, and personal receptacles, specifically describing the policies and procedures with respect to searches conducted at random and based upon reasonable suspicion. Examples of "workspaces" include, but are not limited to, desks, closets, lockers, and drawers located within the gaming establishment.

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(2) If the policies and procedures referenced in 205 CMR 138.17(1) are approved by the commission, such policies and procedures shall be set forth in writing, prior to implementation, as a portion of the gaming licensee's employee personnel policy manual. The content of this manual shall include a requirement that the employee consents to searches conducted in the described workplace areas and subject to the described circumstances as a condition of employment with the gaming licensee. This manual shall be distributed to all employees. Each employee shall acknowledge in writing, by way of the employee's signature, receipt of the manual and an understanding of its contents, and specifically an understanding that the employee consents to the policy and understands it. The gaming licensee shall maintain the written acknowledgements in a central repository.

138.18: Vendor Access Badges

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions related to vendor access badges. Access badges may be issued to personnel of a gaming vendor and non-gaming vendor licensed or registered in accordance with 205 CMR 134.00 or a Sports Wagering Vendor licensed or registered in accordance with 205 CMR 234.00 who in the course of providing their goods or services require access to a restricted area of the gaming establishment. Access badges shall be issued by the security department of the gaming licensee upon a verification of the identification of the specific employee with at least two forms of identification, at least one of which must be a government issued photo identification, and the employee's work schedule. Each access badge shall be effective only for the term of the service to be provided, issued on a daily basis after confirmation of identity, and shall be surrendered to the security department at the end of each day.

(2) The access badge shall contain the following information:

- (a) A prominent space to allow the insertion of the name of the specific person to whom it is issued and identify the vendor employer;
- (b) The date and time of issuance by the security department;
- (c) Name and access badge number of issuing security officer; and
- (d) A sequential number reflecting the number of total badges issued at that gaming establishment that is to be recorded in both an onsite IEB and security department access badge log book or database.

138.19: Count Rooms; Physical Characteristics; Count Protocols

(1) A gaming licensee shall have one or more rooms to be known as a "count room" specifically designated, designed, and used for counting the contents of table drop boxes, and slot drop boxes containers. If a gaming licensee's system of internal controls provides for counts of the contents of slot drop buckets and slot drop boxes in a different room from the room where the table drop boxes and slot cash storage boxes are counted, that latter shall be known as the "soft count room", and the former shall be known as the "hard count room".

(2) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a description of all equipment used in the counting and recording process and all other systems used for purposes related to the counting of gross revenue and shall otherwise comport with the requirements of 205 CMR 138.19.

(3) A gaming licensee shall design and construct each count room to provide maximum security with, at a minimum, the following security measures:

- (a) A metal door installed on each entrance and exit equipped with a lock which shall be maintained and controlled by the security department;
- (b) An alarm device, which audibly signals the surveillance, security departments, and the on-site IEB office whenever a count room door is opened;
- (c) A light system, which illuminates one or more lights in the surveillance department

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and at each count room door, for purposes of maintaining constant surveillance on the entrance and exits to the count room;

(d) Closed circuit television cameras wired to the surveillance department capable of, but not limited to, the following:

1. Video monitoring of the entire count process; and
2. Continuous video-monitoring of the interior of the count room, including storage cabinets or trolleys used to store drop boxes, slot drop containers, and emergency drop boxes.

(e) For the soft count room only, microphones wired to the surveillance department for audio monitoring of the entire count process. Any room that is wired for audio monitoring shall have, conspicuously posted on the entrance and the walls within, a notice indicating that the room is subject to such monitoring.

(4) In addition to the requirements of 205 CMR 138.19(3), a count room used to count coin slot drop boxes and buckets shall have:

(a) A fixed-door type or a hand-held metal detector used by a security department member to inspect all persons exiting the hard count room; and

(b) A separate light system or other device approved by the IEB which shall provide a continuous visual signal at the count room door, whenever any access door to the count room is opened while the system is activated. The light system or device shall:

1. Maintain the visual signal until the system is reset or deactivated; and
2. Be designed so as to permit its activation, deactivation or resetting only by a member of the security department.

(5) In addition to 205 CMR 138.19(3), the soft count room shall have:

(a) A table constructed of clear glass or similar material for the emptying, counting, and recording of the contents of drop boxes and slot cash storage boxes which shall be known as the "count table";

(b) A table constructed of clear glass or similar material for the stacking of the contents of table drop boxes and slot cash storage boxes which have been counted, prior to the recount and acceptance by the cage cashier or cashier supervisor. The table shall be known as the "banking table"; and

(c) A locked accounting box, the key to which shall be maintained and controlled by a supervisor in the gaming accounting department with no incompatible functions.

(6) The count room doors shall be secured at all times except when opened for the following authorized purposes:

(a) To allow one or more members of the count team to change shifts or take a work break;

(b) To permit access to equipment by authorized IT department employees;

(c) To permit table drop boxes or slot cash storage boxes to be secured in the count room;

(d) To permit empty table drop boxes, slot cash storage boxes, emergency table game drop boxes or emergency slot cash storage boxes that were not part of the current count to be removed from the count room;

(e) To allow a main bank cashier or cage supervisor to enter the count room to recount and accept the drop;

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- (f) To allow the count team to exit the room at the conclusion of the count; or
  - (g) In the event of an emergency.
- (7) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a workflow diagram that shall indicate, at a minimum, the location of all equipment in a count room, all equipment used in the counting process and the flow of all currency, coupons, gaming vouchers and paperwork from the start of the count to the conclusion of the count.
- (8) The count team may simultaneously count the contents of the table drop boxes and the slot cash storage boxes provided that the contents of the table drop boxes remain segregated from the contents of the slot cash storage boxes throughout the count and acceptance by the main bank cashier or cage supervisor.
- (9) Except during an emergency, with the exception of the count team and agents of the IEB, prior to anyone entering or leaving a count room during the soft count process, all contents that have been removed from either a drop bucket, drop box or slot cash storage box shall be counted at least once and secured. Any trolleys that contain uncounted drop boxes or slot cash storage boxes shall be secured.
- (10) The opening, counting, and recording of the contents of table drop boxes, and slot drop containers shall be performed in the presence of a count room supervisor. The count shall be performed by at least three employees (count team), which shall include the count room supervisor. The counting and recording process shall be discontinued where the minimum number of count room personnel is not present or are not capable of performing their responsibilities.
- (11) All persons present in the count room during the counting process, except agents of the IEB, shall:
- (a) Wear as outer garments, only a full-length, one-piece, pocketless garment with openings only for the arms, feet, and neck;
  - (b) Not be permitted to wear a long sleeve garment under the outer garment; and
  - (c) Not be permitted to carry a bag, pocketbook or other container unless it is transparent.
- (12) Access to the count room during the counting process shall be limited to the count team, internal audit personnel, other persons authorized by the IEB, or agents of the IEB. No count room employee shall, during the soft count process, enter a storage area for table drop boxes or slot cash storage boxes adjacent to the count room to perform any function not directly related to the counting process.
- (13) No person shall remove his or her hands from or return them to a position on or above the count table, banking table or counting equipment unless the backs and palms of his or her hands are first held straight out and displayed to other members of the count team and surveillance cameras. In addition, whenever any person enters or leaves the count room during the counting process, any employee remaining in the count room shall be required to step away from the count table, banking table and counting equipment until the person has entered or left the count room.
- (14) Immediately prior to the commencement of the count, doors to the count room shall be securely locked and remain locked at all times, except when opened for an authorized purpose in 205 CMR 138.19(6). A count team member shall notify surveillance that the count is about to begin, after which surveillance shall make a continuous video and, if applicable, audio recording, with the time and date inserted thereon, of the entire counting process. A count room member shall also notify surveillance whenever a count room door will be opened during the count.
- (15) Once all currency, gaming vouchers, coupons, coin and/or slot tokens have been counted and the final count totals have been obtained, no employee shall be permitted to leave the count room, except in an emergency, until the recount and acceptance of the drop is completed by a cage cashier or cashier supervisor.

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(16) The count room supervisor shall prepare a record of the names and credential or license numbers of each employee who was present in the count room during any part of the count process. Such record shall be forwarded to the accounting department at the conclusion of the count.

138.20: Possession of Firearms

(1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a policy prohibiting any person from possessing a firearm within or upon the premises of a gaming establishment. If the gaming licensee learns that an individual possesses a firearm within or upon the premises of a gaming establishment, the gaming licensee must immediately notify an official within the on-site office of the IEB and the individual violating the policy shall be removed from the premises of the gaming establishment by officers assigned to the Gaming Enforcement Unit. Thereafter, the gaming licensee shall promptly, and in any event no later than 48 hours of such removal, or violation of the policy, notify the Chief of the Gaming Enforcement Division of the Massachusetts Attorney General's Office.

(2) Notwithstanding 205 CMR 138.20(1), the following individuals may, in the course of their official duties, possess a firearm within or upon the premises of a gaming establishment:

- (a) A member of the Massachusetts State Police assigned to the Gaming Enforcement Unit;
- (b) A law enforcement officer of the host community police department assigned to work at the gaming establishment pursuant to the memorandum of agreement required to be executed in accordance with M.G.L. c. 23K, § 6(f);
- (c) An official who is specifically authorized to do so by the commission or the IEB; and
- (d) A federal law enforcement officer.

(3) Any law enforcement officer in possession of a firearm, other than a member of the Massachusetts State Police assigned to the Gaming Enforcement Unit, shall provide notification to an official within the on-site office of the State Police Gaming Enforcement Unit at the gaming establishment prior to arrival or upon arrival at the gaming establishment. This notification shall be documented with the onsite office of the State Police Gaming Enforcement Unit.

(4) The gaming licensee shall post in a conspicuous location at each entrance to the gaming establishment a legible sign that states:

*"No firearms are allowed within or upon the premises of this gaming establishment. This prohibition extends to all areas of this facility: public, non-public, restricted, and non-restricted areas. Persons violating this restriction will be removed from the premises and subject to further investigation and, if appropriate, prosecution. If you have any questions about this prohibition, please request to see an official from the Massachusetts Gaming Commission Office before proceeding.*

*Certain law enforcement officers may be exempt from this prohibition; however they must notify the Massachusetts State Police of their presence by either visiting the Massachusetts State Police Gaming Enforcement Unit Office on-site or by calling the State Police Gaming Enforcement Unit at [number to be provided by the IEB]."*

138.21: Protection of Minors and Underage Youth

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include the internal policies and procedures as required in 205 CMR 150.00 and 250.00.

138.22: Critical Incident Preparedness Plan

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a detailed critical incident preparedness plan to enhance the

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prevention of, preparedness for, and response to critical incidents, including without limitation natural disasters, workplace violence, dangerous substance, and active shooter crisis incidents. This plan shall include a training component which is designed to enhance awareness of pre-incident indicators and describe actions to take to prevent and prepare for potential crisis incidents. This plan also shall include an action plan that describes the gaming establishment's preplanning and coordination for a series of activities and procedures involving the gaming licensee's management and security personnel; the commission on-site officials; the on-site responding Massachusetts State Police personnel; the responding local, county, state law enforcement personnel; EMS and other first responder personnel, all in response to potential or actual critical incidents. The gaming licensee shall review its crisis preparedness plan annually. The gaming licensee's submission shall be evaluated in terms of its adequacy to assure that reasonable preparation and steps have been taken to ensure public safety, inter-agency crisis communication, tactical coordination, site facility identification and pre-staging, which as a whole, shall serve to maximize the protections afforded to the public, patrons, employees, law enforcement officers, and first responders and maximize the efficacy of first responder actions in emergent critical incident situations.

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

(1) A secure, tamper-resistant container known as a "drop box" shall be attached to each gaming table and any other gaming device at which currency, coupons, or other items of value are accepted by the gaming establishment. The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include:

(a) Specifications for the construction and material composition of drop boxes and housing, identification of the asset number or serial number to be used on gaming equipment, and whether the asset number will be imprinted on such equipment electronically or permanently.

(b) A detailed plan identifying which of the gaming licensee's department(s) will be involved in handling the table drop. The plan must include at least one key gaming employee on the drop team and shall also include the following:

1. Identification of the department having primary responsibility for the drop;
2. An outline of the responsibilities of all gaming employees involved in handling the drop;
3. A chain of command in the event the gaming licensee uses multiple departments to handle the drop; and
4. A chain of command in the event the gaming licensee uses multiple departments to handle the count responsibilities.

(c) A detailed procedure for independent verification of the count as performed in accordance with 205 CMR 138.19. The procedure shall include:

1. Separation of duties such that the person performing the daily of the counting machine shall not also perform the duties to determine the final numbers;
2. Procedures to be followed in the event unaccounted currency is found in accordance with 205 CMR 138.33(7) and (8); and
3. Procedures governing the use and redemption of both valid and invalid coupons.

(d) A detailed variance and discrepancy procedure to be followed in the event the final count does not balance. The procedure shall include:

1. Identification of the department responsible for reporting the drop to the Bureau and a timeline for when that reporting is due; and
2. The count procedure to be followed in the event the gaming licensee's count

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machines are not functioning.

3. A detailed schedule of table drop and how often it will be performed, including a procedure for the removal of drop boxes from table games.
- (e) A procedure for the storage of unused drop box locks. The procedure shall include:
1. The location where emergency drop boxes will be stored;
  2. The location where spare drop boxes will be stored; and
  3. Identification of the person or department responsible for replacement and storage of drop box locks.

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

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

(1) Each establishment shall have on or immediately adjacent to the gaming area a physical structure known as a cashiers' cage (cage) to house the cashiers and to serve as the central location in the gaming area for the main bank, the marker bank, the kiosk bank, and the chip bank, which shall be responsible for the following pursuant to 205 CMR 138.29 and 205 CMR 138.24:

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

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

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

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- (e) Such other functions normally associated with the operation of the master coin bank.
- (3) The cage shall be designed and constructed to provide maximum security for the materials housed therein and the activities performed therein; such design and construction shall, at a minimum, include the following features and specifications:
- (a) It shall be fully enclosed except for openings through which materials such as gaming chips and plaques, slot tokens and prize tokens, patron checks, cash, records, and documents can be passed to service the public, gaming tables, and slot booths;
  - (b) It shall have a manually triggered silent alarm system for the cage, ancillary office space, and any related vault, which systems shall be connected directly to the monitoring rooms of the closed circuit television system, IEB office and the security department office;
  - (c) It shall have double door entry and exit system (MAN-TRAP) that will not permit an individual to pass through the second door until the first door is securely locked. In addition:
    - 1. The first door adjacent to the gaming floor of the double door entry and exit system shall be controlled by one department (electronically and manually). The second door of the double door entry and exit system shall be controlled by a separate department from the first;
    - 2. The system shall have closed circuit television coverage which shall be monitored by the security department or surveillance department; and
    - 3. Any entrance to the cage that is not a double door entry and exit system shall be an alarmed emergency exit door only.
  - (d) It shall have separate locks on each door of the double door entry and exit system, the keys to which shall be different from each other.
- (4) Each master coin bank located outside the cage shall meet all the requirements of 205 CMR 138.24(3).
- (5) Each gaming establishment may have separate areas for the storage of coin, prize tokens and slot tokens (coin vaults) in locations outside the cage or master coin bank.
- (6) Each coin vault shall be designed, constructed and operated to provide maximum security for the materials housed and activities performed therein, and shall include at least the following:
- (a) A fully enclosed room, located in an area not open to the public;
  - (b) A metal door with one key that shall be maintained and controlled by the main bank or master coin bank, which shall establish a sign-in and sign-out procedure for removal and replacement of that key;
  - (c) An alarm device that signals the monitors of the gaming licensee's close circuit television system whenever the door to the coin vault is opened; and
  - (d) Closed circuit television cameras capable of accurate visual monitoring and taping of any activities in the coin vault.
- (7) Each gaming establishment may also have one or more "satellite cages" separate and apart from the cashiers' cage, but in or adjacent to a gaming area or simulcasting facility or Sports Wagering Area, established to maximize security, efficient operations, or patron convenience and comfort and designed and constructed in accordance with 205 CMR 138.00. Subject to commission approval, a satellite cage may perform any or all of the functions of the cashiers' cage. The functions which are conducted in a satellite cage shall be subject to the applicable accounting controls set forth in 205 CMR.



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

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

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

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

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

138.25: Simulcast Counter: (Reserved)

138.26: Keys for Dual Locks; Gaming Licensee-controlled Keys and Locks; Notice to the IEB and Surveillance Department upon Malfunction and Repair, Maintenance or Replacement

(1) Any key, locking mechanism or locking system that is required by 205 CMR 138.00 shall be subject to review and approval by the IEB. Such key shall be capable of unlocking the locking device on no more than one type of secure box, compartment or location used or maintained within the gaming establishment.

(2) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a process for obtaining, reproducing, inventorying and identifying each controlled key, locking mechanism, or locking system and setting forth the procedure by which the key, locking mechanism, or locking system shall be controlled. Such internal controls shall, at a minimum, include an enumeration of those incidents which would be considered to compromise the security of any part of the gaming establishment.

(3) The types of secure boxes, compartments or locations that require a unique key, locking mechanism, or locking system shall include, without limitation, the following:

(a) Drop boxes;

(b) Slot drop containers;

(c) Trolleys to transport drop boxes from gaming tables to a secure location;

(d) Trolleys or cabinets used to transport or store, respectively, slot cash storage boxes;

(e) Count room entrance and exit doors;

(f) Compartments housing slot drop buckets containers;

(g) Areas in which slot cash storage boxes are located;

(h) Compartments housing microprocessors or other control units controlling progressive meter(s) for progressive slot machines;

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- (i) Locations housing a computer that controls a progressive payout wager system for gaming tables offering a progressive payout wager; and
  - (j) Storage cabinets or trolleys for unattached slot drop boxes.
- (4) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include inventory procedures for any key required to be controlled and maintained by a gaming licensee and for any corresponding locking device including, without limitation, any key and locking device required by 205 CMR 138.00 for a dual control locking system. The key and locking device inventory controls of each gaming licensee shall include, at a minimum, procedures for:
- (a) Maintenance of inventory ledgers by identified, authorized personnel for purposes of documenting:
    - 1. The requisitioning of keys and locking devices from vendors;
    - 2. The receipt of blank key stock;
    - 3. The storage and issuance of keys and locking devices;
    - 4. Any loss, removal from service, and subsequent replacement of keys and locking devices;
    - 5. The destruction of keys and locking devices; and
    - 6. The results of physical inventories.
  - (b) The storage of duplicate keys and locking devices, including a physical description of any storage location and the identification of authorized personnel in control of such location;
  - (c) The destruction of keys and locking devices, including documentation detailing in whose presence any destruction shall occur; and
  - (d) Physical inventories of all keys and locking devices at least once every 12 months.
- (5) A gaming licensee shall notify the IEB and its surveillance department immediately upon becoming aware of any malfunction of any alarm system or alarmed door, and upon any emergency service to restore their proper function. In addition, a gaming licensee shall provide the IEB and its surveillance department with at least 24 hours written notice prior to effecting any non-emergency repair, maintenance or replacement of any such alarm system or alarmed door including, without limitation:
- (a) Alarm systems for any emergency exit from the gaming floor or simulcasting facility or Sports Wagering Area;
  - (b) Alarm systems for the cage, its ancillary office space and any related vault;
  - (c) Alarm systems for any master coin bank located outside the cage;
  - (d) Alarmed emergency exit door(s) for the cage;
  - (e) Alarmed doors to vaults signaling the closed circuit television system;
  - (f) Alarmed doors to count rooms signaling the monitoring rooms and the security department;
  - (g) Alarm systems providing for a continuous visual signal whenever any access door to the count room is open; and
  - (h) Alarm systems for any slot cashier window in a slot booth.

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138.27: Internal Controls B: (Reserved)

138.28: Gaming Day

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall specify the hours of operation for the gaming establishment and incorporate a "gaming day" for accounting purposes that begins at 6:00 A.M. and ends the following day at 5:59 A.M.

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

(1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall detail the responsibilities and functions of the main bank, which shall include:

- (a) Receipt of cash, value chips, winning Sports Wagering tickets, gaming vouchers, jackpot payout slips, and personal checks received for gaming purposes from cage cashiers in exchange for cash;
- (b) Receipt of cash from the count room;
- (c) Preparation of the overall cage reconciliation and accounting records, and independent verification of all bank assets by the main banker;
- (d) Preparation of the daily bank deposit for cash, cash equivalents, counter checks, and personal checks;
- (e) Issuance, receipt, and reconciliation of imprest funds used by slot attendants; and
- (f) Receipt of unsecured currency and vouchers.

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

(2) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall detail the responsibilities and functions of the marker bank, which shall include:

- (a) Maintenance of credit application information;
- (b) Setting minimum and maximum amounts for patron credit lines;
- (c) Maintenance of serially prenumbered forms used in sequential order accounted for by employees with no incompatible functions;
- (d) Marking originals and copies of void marker slips "void" and including the signature of the individual responsible for preparing the slip(s);
- (e) Accountability for marker slips, which must be a five-part form (redemption, accounting, issuance, and acknowledgement copy along with the original) attached in a book, which shall be maintained by the finance department but may be issued to the table games department.

1. Marker slips may be issued for chips, cash, or gaming vouchers.
2. Marker slips shall include the signature of the marker bank cashier, who shall time stamp the acknowledgment copy of the five-part form.
3. The original and redemption copies of the marker slips shall be maintained in marker bank.

(3) The system of internal controls submitted by a gaming licensee in accordance with

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205 CMR 138.02 shall detail the responsibilities and functions of the kiosk bank, including the following:

- (a) Replenishment of empty cassettes with full imprest cassettes, which shall be performed by the main banker;
- (b) Daily receipt of, and accountability for, gaming vouchers that have been redeemed for cash;
- (c) Receipt of bill validator boxes from the main bank and counting of the currency therein.

(4) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall detail the responsibilities and functions of the chip bank, which shall include:

- (a) Procedures to be followed with respect to fills, including, at a minimum:
  - 1. That fill slips be prepared by a chip bank cashier either manually or electronically;
    - i. If manually prepared, that they be prepared using a four-part form that includes drop box, acknowledgement, chip bank, and accounting copies and inserted into a locked dispenser which has access maintained and controlled by finance department employees with no incompatible functions; and
    - ii. If electronically prepared, that they be prepared on a three-part form that includes a drop box, acknowledgement, and chip bank copy which may not be changed or removed by any personnel involved in its preparation;
  - 2. That fill slips be serially prenumbered forms and used in sequential order;
  - 3. That fill slips contain the following information upon preparation:
    - i. Denominations of chips being distributed;
    - ii. Total amount of each denomination;
    - iii. Total amount of all denominations;
    - iv. Game and table number where chips are being distributed;
    - v. Date and shift;
    - vi. Signature of chip bank cashier and/or the identification code;
  - 4. When applicable, that fill slips be marked "void" and signed by the cashier;
- (b) Procedures to be followed with respect to credits, including, at a minimum:
  - 1. That credit splits be prepared by a chip bank cashier either manually or electronically;
    - i. If manually prepared, that they be prepared using a four-part form that includes drop box, acknowledgement, chip bank, and accounting copies inserted into a locked dispenser which has access maintained and controlled by finance department employees with no incompatible functions;
    - ii. If electronically prepared, that they be prepared on a three-part form that includes a drop box, acknowledgement, and chip bank copy which may not be changed or removed by any personnel involved in its preparation;
  - 2. That credit slips be serially prenumbered forms and used in sequential order;

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3. That credit slips contain the following information:
    - i. Denominations of chips being returned to the chip bank;
    - ii. Total amount of each denomination;
    - iii. Total amount of all denominations;
    - iv. Game and table number where chips are being removed;
    - v. Date and shift;
    - vi. Signature of chip bank cashier;
  4. When applicable, that fill slips be marked "void" and signed by the cashier.
- (5) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall outline the procedures for accepting deposit checks from gaming patrons.
- (a) The procedures shall include the responsibilities of the cage cashier, which shall include, at a minimum:
    1. Endorsing the check "for deposit only":
    2. Initialing the check;
    3. Date- and time-stamping the check;
    4. Verifying signatures using either an ID card or the gaming licensee's personnel file;
    5. Ensuring that patrons do not exceed authorized daily amounts;
    6. Exchanging the check for cash in an amount equal to the amount for which the check is written.
  - (b) Refusal to accept checks made payable to an individual, including social security checks, unemployment checks, disability checks, and payroll checks.
  - (c) Refusal to accept funds obtained using a cash advance from a credit card.
  - (d) Accepting personal checks only if they are:
    1. Written on a commercial bank or credit union;
    2. Written for a specific amount;
    3. Made payable to the licensee; and
    4. Currently dated.
- (6) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall require that incompatible functions are segregated such that no employee is in a position to both commit an error or commit a fraud and to conceal the error or fraud in the normal course of the employee's duties.

138.30: Accounting Controls within the Simulcast Counter: (Reserved)

138.31: Procedure for Accepting Cash and Coupons at Gaming Tables

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

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

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

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include:

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

138.33: Removal of Slot Drop Containers; Unsecured Funds; Recording of Meter Readings for Slot Machine Drop

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures and protocols relative to the removal of slot drop containers, unsecured currency, and the recording of meter readings for slot machine drop that, at a minimum, incorporates the following requirements:

- (1) A gaming licensee shall file with the IEB a drop schedule setting forth the specific times at which the slot drop containers will be brought to or removed from the slot machines and the routes to be utilized. The schedule shall include the number of slot drop containers to be removed each day by zone or other designation. At a minimum, the schedule shall provide

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for removal at least once per week.

(2) All slot drop containers which are not actively in use shall be stored in the count room or other secure area outside the count room as approved by the IEB to prevent unauthorized access. In addition, slot drop containers in use shall be stored in an enclosed storage cabinet or trolley, secured by a key. The key must have restricted access and may be maintained and controlled by either the security department or by means of an electronic key control system which documents the date, time, and electronic signature of any person signing out/in the aforementioned keys. Such electronic key control system also must have the ability to restrict access and ensure keys are released only when the properly authorized individual(s) are present. An electronic signature shall include a unique employee PIN and key card swipe, or PIN and employee biometric identification.

(3) Slot drop containers shall be removed from a slot machine by at least three employees, two of whom shall be members of the security department and one of whom shall be a member of the accounting department (the drop team). At least one member of the drop team shall be licensed as a key gaming employee in accordance with 205 CMR 134.00: *Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations*. Other than the security department members, all employees participating in the removal of slot drop containers shall wear as outer garments only a full-length, one-piece pocketless garment with openings only for the hands, feet and neck.

(4) A drop team member shall notify the surveillance department at the commencement of the slot drop process. Surveillance shall make a continuous video recording, with the time and date inserted thereon, of the entire slot drop process.

(5) All slot drop containers removed from the slot machines shall be transported directly to, and secured in, the count room by a security department member and a member of the accounting department. The process shall be documented in writing ensuring that the number of slot drop containers brought into the gaming area and the number of slot drop containers removed from the gaming area are reconciled with a drop box verification form.

(6) Emergency drop procedures to remove a full or inoperable slot drop container or for removal for other legitimate reasons, as approved by the IEB, outside of the slot drop schedule shall require at least three employees (two of whom shall have no incompatible functions, and one of whom shall be licensed as a key gaming employee in accordance with 205 CMR 134.00: *Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations*), be replaced with an empty emergency slot drop container of the same type if the slot machine is to remain available for play by patrons, and include at a minimum established procedures as follows:

(a) A security department member shall notify the surveillance department which shall monitor and record the transaction. If more than one slot drop container is being removed, such notification shall include the sequence in which the containers will be removed and replaced;

(b) The security department member shall complete an emergency box form documenting the replacement of the slot drop container. The form shall include at a minimum:

1. The date and time;
2. The asset and location number;
3. The reason for the removal; and
4. The signatures of all employees participating in the process.

(c) The emergency box form shall be distributed by a member of the emergency drop team as follows:

1. The original affixed to the emergency slot drop container;

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2. The duplicate placed in a locked accounting box; and
3. The triplicate delivered to the cage to be routed within 24 hours of preparation to the IEB's on-site office.

(d) A slot department member, in the presence of the other members of the emergency drop team, shall remove the slot drop container from the slot machine and replace it with the empty emergency slot drop container if the slot machine is to remain available for play by patrons;

(e) The slot drop container removed from the slot machine shall be transported by a minimum of two members of the emergency drop team to the count room where it must be secured in an emergency drop box cabinet or trolley; and

(f) For each slot drop container removed, an emergency drop team participant shall record on an emergency box log, to be maintained with the emergency drop box cabinet or trolley, the following:

1. The date and time the slot drop container was secured in the cabinet or trolley;
2. The slot drop container location and asset number; and
3. The signatures of at least two members of the emergency drop team participating in the emergency slot drop container process.

(7) Whenever currency, a gaming voucher, or a coupon is found inside a slot machine but outside of the slot drop box during the collection of slot drop boxes, it shall be deemed "unsecured funds." When unsecured funds are located, a count team member and a member of the security department shall complete and sign an unsecured funds form which includes the asset number in which the unsecured funds were found, the date the unsecured funds were found, and the total value of the unsecured funds. The unsecured funds and the original unsecured funds form shall be transported to the cashier's cage. A determination shall be made as to whether the unsecured funds registered on the coin-in meter of the slot machine from which they were retrieved. If the unsecured funds registered on the coin-in meter of the slot machine, the funds shall be recorded as part of the gross gaming revenue for the slot machine and recorded with the contents removed from the corresponding slot drop box. If it is determined that the unsecured funds did not register on the coin-in meter of the slot machine, the funds shall be processed as unclaimed cash in accordance with 205 CMR 138.68(1)(b).

The duplicate of the unsecured funds form shall be placed in a locked accounting box. Upon completion of the count, the original unsecured funds form, relative to funds that registered on the coin-in meter, shall be placed in a locked accounting box located in the count room. The accounting department shall retrieve the original form and reconcile it to the duplicate. A copy of the form shall be provided to the IEB.

(8) Whenever unsecured funds are found inside a slot machine but outside of the slot drop box at times other than the collection of slot drop boxes, a slot department member shall notify the surveillance department and complete and sign the unsecured funds form referenced in 205 CMR 138.33(7). The unsecured funds and the original form shall be transported by the slot department member, escorted by a security department member, to the cashiers' cage where a cashier shall sign the form acknowledging receipt. The unsecured funds and original form shall be handled in accordance with the process described in 205 CMR 138.33(7).

(9) Upon receipt of an unsecured gaming voucher or coupon, the cage cashier in the presence of the slot department member shall deface or otherwise deactivate the gaming voucher or coupon, to the extent necessary, so as to prevent subsequent redemption.

(10) At the end of the gaming day, at a minimum, the original unsecured funds forms and as applicable, gaming vouchers and coupons, shall be forwarded to the accounting department. The accounting department shall reconcile the original and duplicate forms and record the appropriate amount on the Slot Win Report or unclaimed cash report, as applicable.



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Reconciliation of unsecured funds shall be completed by the end of the gaming day on which the count of the slot machine drop for the machine in which the unsecured funds were located is performed.

(11) In conjunction with the removal of any slot drop box, a gaming licensee shall manually read, or cause an approved slot monitoring system to record, the slot machine's accounting meters that are used to calculate gross gaming revenue, as described by GLI-11, 5.4.1 *Electronic Accounting and Occurrence Meters*, including the in-meter, drop meter, out-meter, attendant paid jackpots meter, attendant paid cancelled credits meter, bill meters and handle pull meter. In addition, the following meters shall be read and recorded:

(a) If the slot machine accepts gaming vouchers, the numerical and value cashable gaming voucher meters, and the numerical and value non-cashable gaming voucher meters;

(b) If the slot machine accepts coupons enrolled in the gaming voucher system, the numerical and value cashable coupon meters and numerical and value non-cashable coupon meters;

(c) If the slot machine accepts promotional credits, the electronic cashable credit meter and the electronic non-cashable credit meter; and

(d) If the slot machine accepts funds from an account based wagering system, the wagering account transfer-in meter and the wagering account transfer-out meter.

(12) The slot monitoring system shall provide a report to the accounting department for a comparison of the meter readings to the count room reports and the calculation of each slot machine's payout percentage. In the event it is determined after a count that a shortage or overage exists between the total registered on a slot machine's accounting meters that are used to calculate gross gaming revenue, as described by GLI-11, 5.4.1 *Electronic Accounting and Occurrence Meters*, and the total value of the contents of the drop box, the licensee shall investigate to determine the cause and record the findings. Only members of the accounting department shall have the authority to adjust meter readings subsequent to the count, provided that notification is provided to the IEB and the commission's finance office if the shortage or overage was caused by a technical malfunction. The IEB and/or finance office may take any action necessary to ensure the integrity of the adjustment prior to the month end reconciliation and public reporting of gross gaming revenue.

(13) Nothing in 205 CMR 138.00 or a gaming licensee's internal controls shall preclude the IEB from requiring a gaming licensee to read a slot machine meter manually as a remedial measure in the event of a malfunction or as it may otherwise deem necessary to ensure the integrity of gaming and the accurate reporting of gross revenue.

138.34: Procedures for Acceptance of Tips or Gratuities from Patrons

(1) In accordance with M.G.L. c. 23K, § 25(g), no key gaming employee or any other gaming employee who serves in a supervisory position shall solicit or accept a tip or gratuity from a player or patron in the gaming establishment where the employee is employed.

(2) In accordance with M.G.L. c. 23K, § 25(g), a dealer may accept tips or gratuities from a patron at the table game where such dealer is conducting play provided, however, that such tips or gratuities shall be placed in a pool for distribution among other dealers. A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures governing the manner in which tips and gratuities shall be set aside for the dealer pool as well as the manner of distribution among dealers, which shall, at a minimum, incorporate the following principles:

(a) At their election, the dealers shall be responsible for the collection, counting, and distribution of the tips and gratuities;

(b) The gaming licensee shall cooperate in the collection, counting, and distribution process undertaken by the dealers, and shall provide surveillance, cashier, payroll and other systems necessary for the administration and security of the process;

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- (c) Tips shall be calculated on a weekly basis, unless the dealers specifically elect to calculate the tips on a daily basis, and shall be distributed based on time spent dealing;
  - (d) The policies and procedures shall be subject to approval by the dealers in a manner provided by the dealers; and
  - (e) The policies and procedures shall be in accordance with M.G.L. c. 149, § 152A and other applicable law of the Commonwealth.
- (3) The policies and procedures required in accordance with 205 CMR 138.34(2) shall, at a minimum, include:
- (a) The method utilized by a dealer for acceptance of the tip or gratuity;
  - (b) The physical characteristics of the transparent locked box utilized for purposes of depositing such tips or gratuities;
  - (c) The method for ensuring that any non-value chips received as a tip at any table game, authorized by the commission to utilize non-value chips for play, is expeditiously converted into value chips and deposited in a the locked box reserved for that purpose; and
  - (d) The method of collecting, accounting for and placing such tips and gratuities in a common pool for distribution *pro-rata* among all dealers in accordance with the policies and procedures established in accordance with 205 CMR 138.34.
- (4) If a gaming licensee offers the game of poker, the policies and procedures required in accordance with 205 CMR 138.34(2) may provide for a separate common pool for tips and gratuities received by poker dealers to be established. Provided, however, at the dealers' option, if a separate common pool is established for poker dealers, the policies and procedures may provide for distribution from the pool in accordance with the precise amount contributed. A gaming licensee, with the dealers' assent, may also designate a percentage of the prize pool or other such amounts as designated in a poker tournament submission, as approved by the commission, to be withheld for distribution to the tournament dealers on a *pro-rata* basis.
- (5) A tip or gratuity may be provided electronically to a dealer upon initiation and authorization by a patron. A gaming licensee shall include in its internal controls the method utilized for the distribution of electronic tips or gratuities and ensure that a report listing all electronic tips shall be available from the system where the transaction occurred.

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

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

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- (b) Indicate whether the gaming licensee will use a chip reserve compartment at its game tables; and
- (c) Require that the table inventory slip can be seen through the float at closed tables.

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

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall require that the table inventory be verified at the start of each day on a table inventory slip form, which shall be signed and placed in the drop box. The verification process shall include:

- (a) Procedures for verification of the accuracy of the bankroll in the opening of the day;
- (b) Procedures for inspection of the bankroll;
- (c) Procedures for handling discrepancies on the table inventory slip form, including error notification to the department(s) affected by the discrepancy and providing both the correct and incorrect forms along with a manager's signature;
- (d) Procedures for removal and verification of gaming stacks;
- (e) Procedures for closing a game, including locking and verifying all bankrolls and removing all stacks and amounts from the bankroll.

138.37: Procedure for Distributing and Removing Gaming Chips, Coins and Plaques to Gaming Tables

A system of internal controls submitted by a gaming licensee, in accordance with 205 CMR 138.02, shall include procedures relative to distributing and removing gaming chips, coins, and plaques to and from gaming tables that must include participation of personnel from at least three departments with incompatible functions.

138.38: Administrative Action

- (1) Grounds for Action. A gaming licensee may be conditioned, suspended, or revoked, or a civil administrative penalty assessed, if it is determined that the gaming licensee has:
  - (a) failed to abide by any provision of 205 CMR 138.00;
  - (b) failed to abide by any provision of M.G.L. c. 23K or M.G.L. c. 23N related to internal controls;
  - (c) failed to abide by any provision of the gaming licensee's system of internal controls approved in accordance with 205 CMR 138.02.
- (2) Finding and Decision. If the Bureau finds that a gaming licensee has violated a provision of 205 CMR 138.07(1), it may issue a written notice of decision recommending that the commission suspend, revoke, and or condition said gaming licensee. Either in conjunction with or in *lieu* of such a recommendation, the Bureau may issue a written notice assessing a civil administrative penalty upon said licensee. Such notices shall be provided in writing and contain a factual basis and the reasoning in support of the decision, including citation to the applicable statute(s) or regulation(s) that supports the decision.
- (3) Civil Administrative Penalties. The Bureau may assess a civil administrative penalty on a gaming licensee, in accordance with M.G.L. c. 23K, § 36, for a violation of 205 CMR 138.07(1).
- (4) Review of Decision. A recommendation made by the Bureau to the commission that a gaming license be conditioned, suspended or revoked shall proceed directly to the commission for review in accordance with 205 CMR 101.01: *Hearings Before the*

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*Commission.* If the gaming licensee is aggrieved by a decision made by the Bureau to assess a civil administrative penalty, in accordance with 205 CMR 138.07(2) and (3), it may request review of said decision in accordance with 205 CMR 101.00: *M.G.L. c. 23K: Adjudicatory Proceedings.*

138.39: Internal Controls D: (Reserved)

138.40: Procedure for Acceptance of Checks, Cash Equivalents, Wire Transfers, and Credit/Debit Cards; Issuance of Counter Checks

A system of internal controls submitted by a gaming licensee, in accordance with 205 CMR 138.02, shall include policies and procedures relative to the acceptance of checks and cash equivalents presented by patrons, and the issuance of counter checks to patrons for gaming purposes. These policies and procedures shall include, but not be limited to:

- (1) The specific locations in the gaming establishment where patron deposits may be received;
- (2) The specific form of deposits that will be accepted including cash, chips, plaques, slot tokens, jackpots, tournament winnings, casino checks, personal checks, certified checks, traveler's checks, wire transfers, electronic fund transfers, money orders, and other cash equivalents. Provided, procedures shall be included to ensure that the gaming licensee does not accept or cash government-issued checks, or third party checks, other than bank issued cashier's checks or travelers checks;
- (3) Identification requirements at such time that a patron deposits funds, including controls in place to assure that any cash received on deposit is done so in accordance with required currency transaction reporting and anti-money laundering criteria;
- (4) Specific policies and procedures for patron deposit accounts if they will be utilized by the gaming licensee including the permitted uses of funds placed on deposit to include, but not be limited to, in exchange for chips, tokens or other forms of gaming value, to establish a deposit account against which future draws may be made, and as payment towards outstanding counter checks;
- (5) Procedures to refund any balance in a patron's deposit account at such time that it is requested;
- (6) Specific procedures for the issuance of counter checks, to include patron identification requirements, and documentation and accountability requirements to request a counter check, issue the counter check (whether at the main cage, gaming table or such other approved location), including disclosures, consistent with disclosures provided at the time the extension of credit was approved, which include the date or time period within which the counter check will be deposited with the patron's bank, and post the counter check transaction to the patron's account and the gaming licensee's books of account;
- (7) Specific procedures for the transfer and storage of documentation involved in all facets of the counter check process;
- (8) Procedures to ensure that any credit card or automated teller machine operating in the gaming establishment does not allow a patron to obtain cash from a government-issued electronic benefits transfer card and that it is otherwise in conformance with 205 CMR 138.47;
- (9) Procedures to ensure that debit card cash transactions are not permitted to be initiated within 15 feet of the gaming area or simulcasting or Sports Wagering Area or Sports Wagering Facility;
- (10) Procedures to ensure that no Sports Wagers, gaming chips, plaques, tokens, and other forms of gaming value may be purchased with a credit card. Provided, patrons may be permitted to pay gaming tournament entry fees with a credit card with the exception of Sports Wagering tournaments;

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(11) Procedures, including the maintenance of a log, for accepting, verifying and accounting for wire transfers and electronic fund transfers, including wire transfer and electronic fund transfer fees, and procedures for sending funds by wire transfer or electric fund transfer; and

(12) Procedures to ensure compliance with all applicable provisions of the Currency and Foreign Transactions Reporting Act of 1970 (commonly referred to as the Bank Secrecy Act) and corresponding FinCEN regulations including 31 CFR 1010: *General Provisions*, as applicable, and 31 CFR 1021: *Rules for Casinos and Card Clubs*.

138.41: Replacement Checks and the Redemption of Counter Checks

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures relative to replacement checks and the redemption of counter checks that contain, at a minimum, provisions for the following:

- (1) A listing of the locations where redemptions may occur, and a listing of the types of cash and cash equivalents and third party instruments (subject to the restrictions set forth in 205 CMR 138.40(2)) that may be accepted in redemption of a counter check;
- (2) A distinction between full redemptions and partial redemptions;
- (3) Detailed procedures to:
  - (a) Process and complete redemptions, and issue replacement checks;
  - (b) Verify the patron's or agent's identification at the time of completing a redemption;
  - (c) Maintain a written record and complete the appropriate forms used to record the redemption, including the specific information contained on said form(s) and the form(s) signature requirements so as to assign responsibility and accountability over the redemption transaction;
  - (d) Transfer the appropriate documents to the accounting department (or such other department) for accounting purposes; and
  - (e) Process payments received through the mail, wire transfer, or electronic fund transfer.
- (4) A description of permitted redemptions, in full or in part, when made by a third-party other than the gaming patron; and
- (5) A description of the type of checks that may be accepted in substitution of a counter check.

138.42: Acceptance of Payments Toward Outstanding Patron Checks

(1) A gaming licensee may, in its discretion, permit the drawer of an outstanding patron check or any person acting for the benefit of such drawer to deposit cash, cash equivalents, casino checks, slot tokens, gaming chips or gaming plaques with a general cashier for the purpose of having such payment applied to the total or partial redemption of the patron check by the drawer.

(2) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR

138.02 shall include policies and procedures relative to the acceptance of payments pursuant to 205 CMR 138.42(1) which shall, at a minimum, provide for:

- (a) A method of documenting or recording the receipt of each such payment, which method shall include, without limitation, the following:
  1. The names of the drawer and the person making the payment;
  2. The signature of the employee accepting the payment; and

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3. The issuance of a receipt to the person making the payment;
  - (b) The maintenance of the general cashier's imprest inventory; and
  - (e) The notation in the drawer's credit account of the receipt of the payment.
- (3) If any payments received by a gaming licensee pursuant to the procedure referenced in 205 CMR 138.42(2) entitle the drawer of a patron check to redeem the original patron check in its entirety by virtue of complete payment of the outstanding total, or if any such payments received in conjunction with the submission of a new patron check by the drawer in a lesser amount entitle the drawer of a patron check to redeem the original patron check in part due to such partial payment, the gaming licensee shall return the original patron check to the drawer.
- (4) If the drawer of a patron check fails to redeem it prior to the date on which the patron check must be deposited in accordance with the policy or procedure implemented in accordance with 205 CMR 138.45, the gaming licensee shall deposit the patron check regardless whether any payment has been received. The gaming licensee, after timely depositing the patron check and allowing a commercially reasonable time for the patron check to clear, shall apply any payments received in accordance with priorities established in the system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02.
- (5) If a patron check is dishonored by the drawer's bank upon presentation for payment and returned to the gaming licensee, any payments received, including payments that have been transferred to a patron deposit account pursuant to 205 CMR 138.40(4), that have not been returned to the drawer shall be used to reduce the amount to be collected from the drawer or to be deemed uncollectible pursuant to the provisions of 205 CMR 138.00.

138.43: Procedures for Establishing Patron Credit Accounts, and Recording Checks Exchanged, Redeemed or Consolidated

- (1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a description of its policies and procedures governing the issuance of credit to a patron to take part in gaming activity at its gaming establishment which policies and procedures shall prohibit the issuance of credit to a patron for Sports Wagering. A gaming licensee's policies and procedures governing the issuance of credit shall ensure at a minimum that:
  - (a) Prior to issuing credit to a patron the creditworthiness of the patron is established in a commercially reasonable manner in the context of their ability to repay the amount of credit requested or to be extended according to the terms of the credit extension agreement and any disclosures;
  - (b) Credit is not extended to an individual in an amount beyond that which the information reviewed demonstrates that they have a reasonable ability to repay;
  - (c) Credit will only be extended to patrons who the gaming licensee determines qualify for a minimum threshold of \$10,000.00 and will not exceed the amount requested by the patron;
  - (d) Credit will not be offered to any individual who self-identifies as a problem gambler during the credit application process, places themselves on a voluntary credit suspension list in accordance with 205 CMR 138.44, or is on public assistance;
  - (e) Credit requests, including increases, will not be accepted from or granted to patrons who are visibly intoxicated or exhibiting behaviors suggestive of impaired mental competency;
  - (f) Credit applications require patrons to acknowledge that they have reviewed a problem gambling self-assessment and indicate a desire to proceed with the process; and

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(g) Credit officers will obtain written or verbal verification from credit applicants that they are comfortable losing up to the amount of credit requested and granted.

(2) In addition to the provisions required in accordance with 205 CMR 138.43(1), the policies and procedures governing the issuance of credit shall contain provisions including, but not limited to, the following:

(a) The creation of a credit file for each patron shall be prepared by a general cage cashier or credit department representative with no incompatible functions prior to the gaming licensee's approval of a patron's credit limit. All patron credit limits and changes thereto shall be supported by the information contained in the credit file. Such file shall contain a credit application form upon which the following minimum information provided by the patron shall be recorded:

1. The patron's name;
2. The address of the patron's residence;
3. Patron's identification credential, credential number, place of issuance, and expiration date;
4. The patron's telephone number;
5. Banking information including:
  - a. The name and location of the patron's bank; and
  - b. The account number of the patron's personal checking account upon which the patron is individually authorized to draw and upon which all Counter Checks and and replacement checks will be drawn. Checking accounts of sole proprietorships shall be considered as personal checking accounts. Partnership or corporate checking accounts shall not be considered personal checking accounts even if a patron is individually authorized to draw on the account.
6. The credit limit requested by the patron;
7. The approximate amount of all other outstanding indebtedness including outstanding credit balances at other casinos or gaming establishments;
8. The amount and source of income and assets in support of the requested credit limit; and
9. The patron's signature indicating acknowledgement of the following statement, which shall be included at the bottom of every credit application form containing the information required to be submitted by the patron pursuant to 205 CMR 138.43(2)(a): *"I certify that I have reviewed all of the information provided above and that it is true and accurate. I authorize (name of the gaming licensee) to conduct such investigations pertaining to the above information in accordance with applicable federal and state laws and regulations as it deems necessary for the approval of my credit limit. Such investigation may include verification of the information I have provided with a consumer credit bureau, a casino credit bureau, my bank, and/or a bank verification service. I am aware that this application is required to be prepared in accordance with Massachusetts Gaming Commission regulations and I may be subject to civil or criminal liability if any material information provided by me is willfully false."*
10. Prior to processing a gaming patron's credit application, a gaming licensee shall clearly and conspicuously provide the patron with the following disclosures on a piece of paper separate and apart from the credit application and any related documents; provided that each statement shall be separately signed, dated, and acknowledged by said patron. Upon signing said disclosures, a copy shall be provided to the gaming patron.

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a. *"You are applying for a credit extension from [name of gaming licensee], facilitated through a personal check or counter check (also known as a 'marker') on your bank account. If you fail to repay [name of gaming licensee] by [the date specified in this agreement], [name of gaming licensee] will attempt to recover the amount identified on the personal check or 'marker' from your bank account (by date marker will be deposited with the bank) or thereafter. If there are insufficient funds in your account, [name of gaming licensee] may initiate debt collection proceedings against you. Failure to timely repay your debt to [name of gaming licensee] may result in legal consequences, and will likely have a negative effect on your credit."*

b. *"If you are concerned that you may have difficulty managing your gambling, or wish for any reason to exclude yourself from receiving credit from a gaming establishment in Massachusetts, you may add yourself to the gaming credit suspension list. Massachusetts gaming establishments are prohibited from providing credit to individuals appearing on this list. To sign up for the list, please visit [www.massgaming.com](http://www.massgaming.com) or call 1-800-426-1234."*

(b) Recording by a general cage cashier or credit department representative of the information required in accordance with 205 CMR 138.43 in the credit file prior to the gaming licensee's approval of a patron's credit limit.

(c) Prior to the gaming licensee's approval of the patron's credit limit, a general cage cashier or credit department representative with no ability to grant credit or credit limit increases shall perform the following in a commercially reasonable manner and document the patron's file accordingly:

1. Verify the address of the patron's residence;
2. Verify the patron's outstanding casino credit balances which shall include the following:
  - a. The date the patron's casino credit account(s) was established; and
  - b. The current balance and status of the patron's credit account at each casino and gaming establishment including checks deposited by a casino or gaming licensees that have not yet cleared the bank and derogatory information;
3. Verify the patron's outstanding indebtedness;
4. Verify the patron's personal checking account information which shall include, but not be limited to, the following:
  - a. Type of account (personal or sole proprietorship);
  - b. Account number;
  - c. Date the account was opened;
  - d. Average balance of the account for the last six months;
  - e. Current balance in the account;
  - f. Whether the patron can sign individually on the account; and
  - g. Name and title of the person supplying the information; and
5. Verify that the patron's name is not designated on the list of individuals who have voluntarily requested suspension of credit privileges pursuant to 205 CMR 138.44 or placed their name on the voluntary self-exclusion list pursuant to 205 CMR 133.00: *Voluntary Self-exclusion*.

(d) All verifications performed by a general cage cashier or the credit department in



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accordance with 205 CMR 138.43(2)(c) shall be recorded in the credit file and accompanied by the signature of the general cage cashier or credit department representative who performed the required verifications or filed the relevant information. If at any time the gaming license has reason to believe a patron's information has changed, it shall re-verify the information in accordance with the following. The date and time of the signature of the general cage cashier or credit department representative shall be recorded either mechanically or manually contemporaneously with the transaction. If the employee is unable to obtain certain information despite using commercially reasonable efforts, the credit file shall be documented accordingly. The general cage cashier or gaming licensee's credit department shall fulfill the requirements of 205 CMR 138.43(2)(c) as follows:

1. Verification of the address of the patron's residence, as required by 205 CMR 138.43(2)(c)1., shall be satisfied by confirming the patron's address with a credit bureau or bank. If neither of these sources has the patron's address on file or will not provide the information, the gaming licensee may use an alternative source which shall not include any identification credentials required in 205 CMR 138.43(2)(a) or other documentation presented by the patron at the gaming establishment. The gaming licensee shall record the source of verification and the method by which such verification was performed in the patron's credit file. Verification of the patron's address may be performed telephonically.
2. Verification of the patron's current casino credit limits and outstanding balances, as required by 205 CMR 138.43(2)(c)2., shall be performed through a casino credit bureau and, if appropriate, through direct contact with other casinos at which the patron indicated on the credit application that they have a credit limit or outstanding balance. The gaming licensee shall record the source of verification and the method by which such verification was performed in the patron's credit file. If no casino credit information relating to the patron is available from these sources, this shall be noted in the patron's credit file and shall be deemed to satisfy the verification requirement. The verification may be performed telephonically, *via* email, or any medium prior to the credit approval provided the gaming licensee requests written documentation of all such information as soon as possible and includes such written documentation in the patron's credit file. All requests for written documentation shall be maintained in the patron's credit file until such documentation is obtained.
3. Verification of the patron's outstanding indebtedness, as required by 205 CMR 138.43(2)(c)(3), shall be performed by contacting a consumer credit bureau or other similar organization which is reasonably likely to possess information concerning the patron, and a casino credit bureau to determine whether the applicant has any liabilities or if there is any derogatory information concerning the applicant's credit history. Such contact shall be considered a verification of the outstanding indebtedness provided by the patron. The gaming licensee shall record the source of verification and the method by which such verification was performed in the patron's credit file. If either one or both of these credit bureaus do not have information relating to a patron's outstanding indebtedness this shall be recorded in the patron's credit file and the verification requirement shall be deemed satisfied. The verification may be performed telephonically prior to the credit approval provided the gaming licensee requests written documentation of all information obtained as soon as possible and includes such written documentation in the patron's credit file. All requests for written documentation shall be maintained in the patron's credit file until such documentation is obtained.
4. Verification of the patron's personal checking account information, as required by 205 CMR 138.43(2)(c)4., shall be performed by the gaming licensee or a bank verification service directly with the patron's bank. A bank verification service utilized by a gaming licensee may make use of another bank verification service to make direct communication with the patron's bank. If a patron's bank is unwilling to provide information relative to an account, the gaming licensee may use an alternative source or note the unavailability of the information in the file in which case the verification requirement shall be deemed satisfied. The gaming licensee shall record the source of verification and the method by which such verification was performed, or attempted to be performed, in the patron's credit file. The verification may be

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performed telephonically *via* email, or any medium prior to the credit approval provided the gaming licensee or bank verification service requests written documentation of all information obtained as soon as possible and such written documentation is included in the patron's credit file. All requests for written documentation shall be maintained in the patron's credit file until such documentation is obtained.

(e) A gaming licensee may rely upon information compiled and verified by an affiliate in another jurisdiction relative to the credit application of a patron in satisfaction of a provision of 205 CMR 138.43(1) through (2)(d) if said verification was performed within 60 days of credit being extended to the same patron at a casino.

(f) The credit limit, and any changes thereto, must be approved by any one or more of the individuals holding the positions of credit manager, assistant credit manager, credit shift manager, credit executive, or a key gaming employee in a direct reporting line above the gaming manager or credit manager, or a credit committee composed of key gaming employees which may approve credit as a group, but whose members may not approve credit individually unless such person is included in the referenced job positions. The approval shall be recorded in the credit file and shall include:

1. Any other information used to support the credit limit and any changes thereto, including the source of the information, if such information is not otherwise recorded pursuant to 205 CMR 138.43(2);
2. A brief summary of the key factors relied upon in approving or reducing the requested credit limit and any changes thereto;
3. The reason credit was approved if derogatory information was obtained during the verification process;
4. The signature, on the manual credit file, of the employee approving the credit limit together with the date and time of such authorization, which signature, date and time shall be recorded before any actual extension of credit; and
5. If a computerized credit file is utilized, the authorization code of the employee approving the credit limit together with the date and time of the activation in the system, which authorization code, date and time shall be recorded by the system before any actual extension of credit.

(g) Prior to approving a credit limit increase, a representative of the gaming licensee's credit department shall:

1. Obtain a written request from the patron which shall include:
  - a. Date and time of the patron's request;
  - b. Amount of credit limit increase requested by the patron; and
  - c. Signature of the patron.
2. Verify the patron's current casino credit limits and outstanding balances, as required by 205 CMR 138.43(2)(c)2., unless such verification has performed earlier that same gaming day;
3. Verify the patron's outstanding indebtedness as required by 205 CMR 138.43(2)(c)3., unless such procedure has been performed within the previous 60 days;
4. Verify the patron's personal checking account information, as required by 205 CMR 138.43(2)(c)4., unless such procedure has been performed within the previous 60 days;

(h) Credit limit increases may be approved without performing the requirements of

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205 CMR 138.43(2)(g)2. through 4. if the increases are temporary and are noted as being for this trip only in the credit file. Temporary increases shall be limited to one during any thirty day period provided that the increase is approved during a single trip to the gaming establishment consisting of consecutive gaming days and the amount of the temporary increase does not exceed 25% of the currently approved credit limit.

(i) The gaming licensee's credit department shall verify the patron's address, current casino credit limits and outstanding balances, outstanding indebtedness, checking account information, confirm that the patron is not on the list of patrons who have requested suspension of their credit privileges, and confirm that the patron is not on the list of patrons who have placed themselves on the voluntary self-exclusion list, as required by 205 CMR 138.43(2)(c)1. through 5. prior to the issuance of a counter check to a patron whose credit file has been inactive for a six month period.

(j) All derogatory information received by a gaming licensee concerning a patron's credit account shall be reported by the gaming licensee on a daily basis to a casino credit bureau used by all Massachusetts gaming licensees. Each gaming licensee shall request written documentation of any derogatory information pertaining to its patrons to be reported to that gaming licensee on a daily basis by a casino credit bureau used by all Massachusetts gaming licensees. All documentation obtained from the casino credit bureau relative to a patron account shall be maintained in the patron's credit file. Any gaming licensee desiring to continue the patron's credit privileges on the basis of a satisfactory explanation having been obtained for the derogatory information may do so if the gaming licensee records the explanation for its decision in the credit file before issuing any further counter checks to the patron along with the signature of the credit department supervisor accepting the explanation. Provided, the gaming licensee shall comply with the requirements of either 205 CMR 138.43(2)(g)2. or 3. whenever any derogatory information is received by a gaming licensee's credit department relating to the patron's continued creditworthiness.

(k) All transactions affecting a patron's outstanding indebtedness to the gaming licensee shall be recorded in chronological order in the patron's credit file and credit transactions shall be segregated from the patron deposit account transactions. The following information shall be included:

1. The date, amount and check number of each Counter Check initially accepted from the patron;
2. The date, amount and check number of each consolidation check and the check numbers of the checks returned to the patron;
3. The date, method, amount and check number of each redemption transaction and the check number of the check returned to the patron;
4. The date, amount and check number of each substitution transaction and the check number of the check returned to the patron;
5. The date, amount and check number of each check deposited;
6. The date, amount and check number of each check returned to the gaming licensee by the patron's bank and the reason for its return;
7. The outstanding balance after each transaction; and
8. The date, amount and check number of any checks which have been partially or completely written off by the gaming licensee and a brief explanation of the reason for such write off.

(l) A log of all Counter Checks issued and of all checks received for redemption, consolidation or substitution shall be prepared, manually or by computer, on a daily basis, by check cashiers and such log shall include, at a minimum, the following:

1. The balance of the checks on hand in the cashiers cage at the beginning of each

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shift;

2. For checks initially accepted and for checks received for consolidation, redemption, or substitution:

- a. The date of the check;
- b. The name of the drawer of the check;
- c. The amount of the check;
- d. The Counter Check serial number(s) for Counter Check(s) received; and
- e. An indication as to whether the check was initially accepted or received in a redemption, consolidation or substitution.

3. For checks deposited, redeemed by patrons for cash, cash equivalents, complimentary cash gifts, gaming chips and plaques, or any combination thereof, consolidated or replaced:

- a. The date on which the check was deposited, redeemed, consolidated or replaced;
- b. The name of the drawer of the check;
- c. The amount of the check;
- d. The Counter Check serial number(s) for Counter Check(s) and Slot Counter Check(s) deposited, redeemed, consolidated or replaced; and
- e. An indication as to whether the check was deposited, redeemed, consolidated or replaced.

4. The balance of the checks on hand in the cashiers' cage at the end of each shift.

(m) A list of all Counter Checks on hand, and of all checks received for redemption, consolidation or substitution shall be prepared, manually or by computer, on a monthly basis, at a minimum, and shall include the following:

1. The date of the check;
2. The name of the drawer of the check;
3. The amount of the check; and
4. The Counter Check serial number(s) for Counter Check(s) and received.

(n) At the end of each gaming day, at a minimum, the following procedures shall be performed:

1. The daily total of the amounts of checks initially recorded as described in 205 CMR 138.43(2)(1) shall be agreed to the daily total of Counter Checks issued;
2. The daily total of the checks indicated as deposited on a log required by 205 CMR 138.43(2)(1) shall be agreed by employees with no incompatible functions to the bank deposit slips corresponding to such check; and
3. The balance required by 205 CMR 138.43(2)(1) shall be agreed to the total of the checks on hand in the cashiers' cage.

(o) A patron may not be issued a Counter Check until the operator has established a signature file for the patron.

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- (3) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions for the maintenance of a patron identification file and the methodology the gaming licensee will utilize for verifying a patron's identity or signature for purposes of establishing a credit account which shall include, at a minimum, the following:
- (a) The patron's name;
  - (b) The patron's address;
  - (c) The patron's signature;
  - (d) The type of identification credentials examined;
  - (e) The date and time that the patron identification file was established; and
  - (f) The name and signature of the gaming establishment employee who examined the identification credentials of the patron and established the patron identification file.
- (4) The gaming licensee shall establish procedures for the organization and maintenance of data relative to the extension of credit, issuance of counter checks, and repayment of counter check for review upon request by the commission or its designee, and the Massachusetts Attorney General's Office. Such data shall include the following aggregated by month:
- (a) Total credit applications filed;
  - (b) Total credit applications approved;
  - (c) Total credit applications denied;
  - (d) The amount of credit extended for each approved credit application;
  - (e) The mean amount of credit extended;
  - (f) Total credit increases approved;
  - (g) Total temporary credit increases approved;
  - (h) Total number of counter checks presented to banks;
  - (i) The amount of each counter check presented to a bank;
  - (j) Total number of uncollectable counter checks including amounts in accordance with 205 CMR 138.46(11); and
  - (k) Number of debt collection proceedings commenced, the state and county where the proceedings were commenced, and the zip codes of the patron's residences.

138.44: Patron Request for Suspension of Credit Privileges

- (1) Any person may voluntarily suspend his or her credit privileges at all gaming establishments by submitting a written request to the commission in accordance with 205 CMR 138.44. Such requests shall be submitted to a designated agent as described in accordance with 205 CMR 138.44(3) or mailed to a designated address with a notarized signature in accordance with 205 CMR 138.44(2)(h). An individual requesting suspension of credit privileges shall present a valid government issued photo identification.
- (2) A request for suspension of credit privileges shall be submitted on a form prescribed by the commission, which shall include the following:
- (a) The name of the person requesting suspension of credit privileges;
  - (b) The address of the person's residence;

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- (c) The person's date of birth;
  - (d) The name of each gaming establishment where the person currently has an approved line of credit;
  - (e) The duration for which they wish to have their credit privileges suspended. An individual may select any of the following time periods as a minimum length of suspension:
    - 1. Six months;
    - 2. One year;
    - 3. Three years;
    - 4. Five years; or
    - 5. Lifetime.
  - (f) The signature of the person requesting suspension of credit privileges acknowledging the following statement: *"I certify that the information which I have provided above is true and accurate. I am aware that my signature below authorizes the Massachusetts Gaming Commission to direct all Massachusetts gaming licensees to suspend my credit privileges for a minimum period of six months from the date of this request and indefinitely thereafter, until such time as I submit a written request to the Commission for the reinstatement of any such credit privileges."*;
  - (g) If the request for suspension of credit privileges is made in person:
    - 1. The type of government issued photo identification examined; and
    - 2. The signature of the designated agent indicating that the signature of the person requesting suspension of credit privileges appears to agree with that contained on his or her government issued photo identification and that the photograph of the person appears to agree with his or her actual appearance; and
    - 3. If the request for suspension of credit privileges is made by mail, a certificate of acknowledgement executed by a notary public or other person empowered by law to take oaths attesting to the identity of the person who is making the request for suspension of credit privileges.
- (3) (a) An application for suspension of credit privileges made in person may only be accepted by a designated agent. An individual may only become a designated agent by successfully completing a course of training approved and administered by the commission or its designee. The course of training shall include, at a minimum, instruction on completion of the application, information relative to problem gambling and available resources, and an understanding of 205 CMR 138.40 through 138.46. A designated agent must be a licensed, certified, or registered health or mental health professional or employee thereof, or an employee of a gaming licensee, the commission, or other government entity. The commission may refuse to offer training to any individual whose service as a designated agent it determines would be contrary to the aims of 205 CMR 138.40 through 138.46.
- (b) Upon submission of an application, a designated agent shall review the application with the applicant. If the application is complete, the designated agent shall sign the application indicating that the review has been performed and the application has been accepted.
  - (c) A designated agent may not sign an application if any required information is not provided.
  - (d) The designated agent shall forward the signed application for suspension of credit to the commission within 24 hours of completion in a manner directed by the commission.

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- (e) Upon receipt of an application, the commission, or its designee, shall review it for completeness. If the application meets all requirements of 205 CMR 138.40 through 138.46 the application shall be approved, and the individual's name shall be added to the credit suspension list. If the application is incomplete, the commission, or its designee, may deny the application and make efforts to contact the applicant advising them of such.
- (f) In addition to 205 CMR 138.44(3)(d), if an application is made in person at a gaming establishment, the designated agent shall promptly transmit a completed application to the gaming licensee's credit department such that any existing credit line for that individual may be immediately suspended and that no new credit may be extended.
- (4) The commission shall maintain an updated master list of all persons who have requested suspension of credit privileges pursuant to 205 CMR 138.44, and shall update the master list in the database.
- (a) Each gaming licensee shall suspend the credit privileges of any listed individual, promptly upon receipt of notice that such individual's name has been added to the list.
- (b) Each gaming licensee shall note any suspension or reinstatement of credit privileges pursuant to 205 CMR 138.44 in any existing credit file for the affected patron, including the following:
1. A copy of any applicable commission notice of the suspension or reinstatement of credit privileges;
  2. The date, time and signature of the credit department representative making the suspension or reinstatement entry in the credit file.
- (5) Any person whose credit privileges have been suspended pursuant to 205 CMR 138.44 may, no sooner than six months after the request for suspension of credit privileges, request reinstatement of his or her credit privileges by submitting a written request to the commission in accordance with the procedures specified in 205 CMR 138.44(1).
- (a) Such request shall be in a form prescribed by the commission, which shall include the following:
1. The information specified in 205 CMR 138.44; and
  2. The signature of the person requesting reinstatement of credit privileges, indicating acknowledgement of the following statement: *"I certify that the information which I have provided above is true and accurate. I am aware that my signature below constitutes a revocation of my previous request for suspension of credit privileges, and authorizes the Massachusetts Gaming Commission to permit any Massachusetts gaming licensee to reinstate my credit privileges."*
- (b) The commission shall remove such individual's name from the list established pursuant to 205 CMR 138.44, and update the master list in the database within seven days of receipt of the request.
- (c) Upon receipt of notice that such individual's name has been removed from the list, a gaming licensee may reinstate such person's credit upon re-verification of the information required by 205 CMR 138.43(2)(c)1. through 4., or may extend credit to such person in accordance with the procedures set forth in 205 CMR 138.43.
- (6) Information furnished to or obtained by the commission pursuant to 205 CMR 138.44 shall be securely maintained. No gaming licensee shall divulge any information relative to the placement of an individual's name on the master list other than to authorized credit department employees at the gaming establishment or to an authorized commission employee.

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A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a description of its policies and procedures governing the depositing of checks received from gaming patrons which incorporate, at a minimum, the following:

- (1) Unless redeemed or consolidated sooner, all checks received from gaming patrons shall be deposited in the gaming licensee's bank account or presented directly to the patron's bank no later than:
  - (a) The banking day after the date of the check for a non-gaming check; or
  - (b) A timeframe prescribed by the gaming licensee as part of its policy, submitted in accordance with 205 CMR 138.02, not to exceed 90 days from the date of the initial check.
- (2) In computing a time period prescribed by 205 CMR 138.45, a gaming licensee shall reference 205 CMR 102.05.
- (3) In the event of a series of consolidation or redemption transactions with a patron, the initial check shall be the earliest dated check returned to the patron in the first of the series of consolidation or redemption transactions.
- (4) Any check deposited into a bank will not be considered clear until a commercially reasonable time, as identified by the gaming licensee in its written protocol, has been allowed for such check to clear the bank.
- (5) If a gaming licensee determines, prior to the deposit or presentment of a Counter Check that the bank name, the bank routing number, the patron's bank account number or the micro-encoding number contained on the check are incorrect due to a data entry error (*e.g.*, a misspelling, a wrong number or a transposition of numbers), a check bank cashier may correct the erroneous entry. Such procedure shall include:
  - (a) A description of the manner in which the error will be corrected by the check bank cashier;
  - (b) The creation of documentation that will permit both the check bank cashier and the gaming accounting department to identify and compare a copy of the uncorrected check that was originally issued and the corresponding corrected check that was deposited or redeemed;
  - (c) The written approval of a cage supervisor prior to the alteration of any check by a check bank cashier; and
  - (d) A prohibition against using 205 CMR 138.45(8) to change the verified bank account on which the Counter Check was originally drawn.
- (6) A gaming licensee may include in its policy and procedure provisions in accordance with 205 CMR 138.13 for the discretionary discounting of the amount of an outstanding Counter Check to be redeemed by a patron for any marketing related reasons.

### 138.46: Procedure for Collecting and Recording Checks Returned to the Gaming Licensee after Deposit

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include a description of its policies and procedures governing the collection and recording of checks returned to the gaming establishment after deposit which incorporate, at a minimum, the following:

- (1) All dishonored checks returned by a bank after deposit shall be returned directly to the accounting department which shall notify the collections department and provide copies of the returned item(s). The original check will be given the check bank cashier who will control the item. Such employees shall have no incompatible functions.
- (2) All debt collection practices must be conducted in accordance with all applicable state



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and federal laws including 940 CMR 7.00: *Debt Collection Regulations*, M.G.L. c. 93A, § 2, and

M.G.L. c. 93, § 49. Provided, further, that a gaming licensee's debt collection policy shall:

- (a) not allow for placement of a lien on a patron's primary residence; and
  - (b) prohibit the commencement of criminal proceedings or other use of criminal process unless the gaming licensee can show that there were insufficient funds in the patron's account at the time the patron signed the counter check. Gaming licensees are prohibited from selling or pledging as collateral any debt owed to the gaming licensee as a result of a gaming loss, including the failure to pay off a counter check issued under an extension of credit, provided however, a gaming licensee may pledge such gaming debt as collateral for a commercial loan to finance the licensee's gaming operations or may sell such gaming debt in connection with the sale of all of its assets in connection with a change of ownership and/or control of the gaming establishment.
- (3) Debt collection shall be limited to key gaming employees or an attorney acting directly on behalf of a gaming licensee; provided, however, that a key gaming employee shall not make any such collections if that employee serves as a junket representative for the gaming licensee. Such procedure shall ensure that any key gaming employee engaged in debt collections does not have any incompatible functions. Any verbal or written communication with patrons regarding collection efforts shall be made with the full knowledge of the collection employees and shall be documented. Provided, 205 CMR 138.46(3) shall not be construed to prohibit marketing personnel licensed to the level of a key gaming employee from discussing with a patron the status of the patron's outstanding counter checks provided that any such communication is with full knowledge of the collection employees and is documented.
- (4) Continuous records of all returned checks shall be maintained by accounting department employees with no incompatible functions. Such records shall include, at a minimum, the following:
- (a) The date of the check;
  - (b) The name and address of the drawer of the check;
  - (c) The amount of the check;
  - (d) The date(s) the check was dishonored;
  - (e) The Counter Check serial number for Counter Checks; and
  - (f) The date(s) and amount(s) of any collections received on the check after being returned by a bank, including the date(s) and amount(s) of any complimentary cash gifts applied as payment on the check after being returned by a bank.
- (5) If a gaming licensee determines that a Counter Check was returned by a bank because the bank name, the bank routing number, the patron's bank account number or the micro-encoding number contained on the check was incorrect due to a data entry error (*e.g.*, a misspelling, a wrong number or a transposition of numbers), a check bank cashier may correct the erroneous entry and cause the check to be re-deposited. Any such procedure shall, at a minimum, include:
- (a) A description of the manner in which the error will be corrected by the check bank cashier;
  - (b) The creation of documentation and control procedures that will permit both the check bank cashier and the gaming accounting department to identify and compare a copy of the uncorrected check that was originally deposited and the corresponding corrected check that was re-deposited;
  - (c) The written approval of a cage supervisor prior to the alteration of any check by a check bank cashier; and

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- (d) A prohibition against using 205 CMR 138.46(5) as a basis to change the verified bank account on which the Counter Check was originally drawn.
- (6) Statements shall be sent to patrons and the collections department at the gaming establishment, by accounting department employees with no incompatible functions, in a reasonably prompt manner upon initial receipt of a returned check or immediately upon receipt of a check returned for a second time if the check was immediately re-deposited pursuant to 205 CMR 138.46(5), and such statements shall include, but not be limited to, the following:
- (a) The name and address of the drawer;
  - (b) The date of the check;
  - (c) The amount of the check; and
  - (d) The date(s) and amount(s) of any collections received on the check after being returned by the bank.
- (7) Patrons to whom statements are sent shall be advised of a contact telephone number, a return address and the department to which replies shall be sent.
- (8) Employees with no incompatible functions shall receive directly and shall initially record all collections.
- (9) Copies of statements and other documents supporting collection efforts shall be maintained and controlled by accounting department employees.
- (10) A record of all collection efforts shall be recorded and maintained by the collection area within the accounting department.
- (11) Listings of uncollectible checks shall be approved in writing by, at a minimum, the chief executive officer or the chief gaming executive, a key gaming employee identified and approved by the commission as part of the gaming licensee's system of internal controls, and the controller or the person to whom the controller directly reports; provided that, with the exception of the chief executive officer and chief gaming executive, none of the foregoing persons shall also have the authority to approve credit. All such uncollectible checks and listings shall be maintained and controlled by accounting department employees. A continuous trial balance of all uncollectible checks shall be maintained by employees of the accounting department. The continuous trial balance shall be adjusted for any subsequent collections.

138.47: Automated Teller Machines (ATM)

- (1) Use and operation of an Automated Teller Machine (ATM) or electronic branch, as defined by M.G.L. c. 167B, § 1, within a gaming establishment is governed by M.G.L. c. 167B and 209 CMR: *Division of Banks and Loan Agencies*.
- (2) No ATM or electronic branch, as defined by M.G.L. c. 167B, § 1, shall be located closer than 15 feet from the gaming area, simulcasting area, Sports Wagering Area, or Sports Wagering Area in a gaming establishment or Sports Wagering Facility.
- (3) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures that identify reasonable measures to be implemented that are tailored to inhibit the initiation and processing of any transaction allowing for the use of a card or card equivalent issued by a financial institution to obtain cash from a line of credit (e.g., credit card cash advance) in the gaming establishment by either an ATM or any other means. Such reasonable measures shall include, but not be limited to:
- (a) The conspicuous placement of signage on an ATM indicating that use of credit cards is prohibited;

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(b) Ensuring that an ATM does not offer to a user any transaction option that is designed to enable the patron to obtain cash from a line of credit (*i.e.* no option to press a "credit card" or "cash advance" button); and

(c) Ensuring that no transaction in which a card or card equivalent issued by a financial institution is being used to obtain cash from a line of credit is, in whole or part, initiated or processed at the cage or elsewhere in the gaming establishment, by any employee or anyone else.

(4) No data relative to an individual patron that is collected by an ATM or electronic branch may be sold, transmitted, or otherwise used for marketing purposes by a gaming licensee or provider of such device.

138.48: Procedure for Opening, Counting and Recording Contents of Table Drop Boxes and Slot Cash Storage Boxes

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures relative to opening, counting, and recording contents of table drop boxes and slot cash storage boxes that include, at a minimum, the following provisions:

(1) Immediately prior to the commencement of the count process, a count room supervisor shall:

(a) Obtain a preliminary master game report which shall list forms and documents related to the table drop box count that were entered into the computer system at the time of preparation;

(b) Reconcile the number of boxes recorded on the drop box verification form to the number of boxes secured in the trolley;

(c) Remove the emergency drop box log and reconcile the log to the boxes removed from the emergency drop box cabinet or trolley; and

(d) Document any unresolved discrepancies on a two-part Drop Variance Report, the original of which shall be delivered to the IEB and the duplicate placed in the locked accounting box.

(2) A gaming licensee shall open, count and record the contents of each drop box in the soft count room except that an emergency slot cash storage box may be held and counted on the regularly scheduled count for the slot machine from which it originated. For currency, gaming vouchers, and coupons, a gaming licensee shall perform a second count to obtain the aggregate total of each denomination of currency and coupon, and the total number of gaming vouchers counted. The counts shall be independent of each other and access to the result of the first count shall not be available to the employee performing the second count until completion of the second count. At the completion of the second count, a comparison of the two counts shall be made and any discrepancies resolved by the count team supervisor.

(3) A gaming licensee shall use a counting machine, to be identified in the internal controls, to count currency, gaming vouchers, and coupons. An alternative procedure shall be provided in the event that a counting machine cannot be used due to mechanical failure or other emergent situation.

(a) A gaming licensee may use one counting machine that automatically provides the counts required in 205 CMR 138.48(2) of the items at different stages of the counting process. If the counts are not in agreement, the machine shall document the discrepancy and cease operation until the discrepancy is resolved by a count team member.

(b) If a gaming licensee does not use a counting machine described in 205 CMR 138.48(3)(a), two different counting machines shall be used. Upon completion of the count using the first machine, the cash storage bins or cassettes shall be emptied and displayed to the full view of a closed circuit television camera to assure that the contents have been emptied. The second machine count shall be performed to verify the totals of

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the first machine. If the counts are not in agreement, the count team shall resolve the discrepancy before continuing the second count.

(c) Each machine shall generate a report at the completion of its count documenting the following:

1. The total of each denomination of currency;
2. The total of all currency;
3. The total number of gaming vouchers;
4. The total number and amount of coupons for which the count machine can determine the value of the coupon (machine count coupons); and
5. The total number of coupons for which the count machine cannot determine the value of the coupon (manual count coupons).

(4) A test count shall be conducted prior to the start of the first use of each counting machine, each gaming day, and prior to each count. The count room supervisor shall:

(a) Verify that the counting machine has a zero balance on its display and cause a receipt to be printed which denotes 0 cash, gaming vouchers or coupons on hand, and 0 notes, gaming vouchers or coupons in the machine, or other approved means to indicate that the machine has been cleared of all currency, gaming vouchers and coupons;

(b) Visually check the counting machine to be sure there are no bills, gaming vouchers or coupons remaining in the various compartments of the machine;

(c) Supervise a count team member who shall select a drop box or slot cash storage box. If slot storage boxes are being counted that day, a slot cash storage box must be selected and it must contain currency, and if issued by the gaming licensee, gaming vouchers and coupons. The count team member shall place the entire contents of the table drop box or slot cash storage box into the first counting machine, which shall count the currency by denomination as well as any gaming vouchers and coupons. Any soiled or off-sorted bills, gaming vouchers or coupons shall be re-fed into the machine. Any items which the counting machine is not able to count automatically, such as coins, tokens, gaming chips or mutilated or torn currency, gaming vouchers, and coupons shall be manually counted, recorded either manually or entered into the counting machine, and segregated from items which the counting machine was able to count automatically. The count team member shall cause the counting machine, in conjunction with the gaming voucher system, to produce one or more test receipts of the count, and the count shall not be shown to anyone until completion of the final verification process;

(d) Supervise a second count team member, independent of the team member performing the initial count, who shall manually count or use a second counting machine to count and summarize the items on test receipts;

(e) Compare the totals on the test receipts for agreement. If the totals are in agreement, the count room supervisor shall sign and date the test receipts and place them in the locked accounting box to be forwarded to the gaming accounting department at the end of the count process. If the totals do not agree, the test count procedures shall be repeated. The test count procedures shall be repeated until the totals are in agreement or a determination is made that the count machine cannot be used. The count room supervisor shall not permit a counting machine to be used until these totals are in agreement;

(f) Supervise a count team member who, at the conclusion of the test procedure shall display the cash bin or storage cassettes to the full view of a closed circuit television camera to assure that the contents have been emptied prior to replacing cassettes into the counting machine; and

(g) Verify that the counting machine has a zero balance in accordance with 205 CMR 138.48(4)(a).

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- (5) Procedures for the count of boxes shall be as follows:
- (a) The contents shall be segregated and counted so as to permit the contents to be recorded for the box from which it was removed. Each box shall be individually:
1. placed on the count table at which time one count team member shall verbalize, in a tone of voice to be heard by all persons present and to be recorded by the surveillance audio recording device, the game and table number marked thereon for table drop boxes, or the asset or unique identification number marked thereon for slot cash storage boxes; and
  2. unlocked and the contents emptied on the count table. The inside of the box shall be held up to the full view of a closed circuit television camera to assure all contents of the drop box or slot cash storage box have been removed, after which the drop box or slot cash storage box shall be locked and placed in the storage area for drop boxes and slot cash storage boxes;
- (b) A count team member shall segregate:
1. Currency, machine count coupons, and gaming vouchers;
  2. Coin, tokens, gaming chips, manual count coupons and any mutilated or torn items; and
  3. Forms and documents;
- (c) A count team member shall attempt to match pieces of mutilated or torn items which shall be processed as follows:
1. Mutilated or torn currency shall be recorded as revenue if the bill includes one entire serial number and one letter and number of the serial number from the other half of the bill;
  2. Mutilated or torn currency that is not recorded as revenue shall be placed in a sealed transparent envelope or container and transferred to the main bank by the main bank cashier or cage supervisor at the end of the count; and
  3. All mutilated or torn coupons and gaming vouchers shall be recorded as revenue regardless of condition;
- (d) The value and number of coin, tokens, gaming chips, manual count coupons (by denomination) and any mutilated or torn items shall be manually entered into the counting machine for each drop box or slot cash storage box;
- (e) Currency, machine count coupons and gaming vouchers shall be placed in a counting machine. The counting machine shall count and calculate the value of the currency. The value of each gaming voucher or coupon shall be obtained from the counting machine or an approved gaming voucher system, as applicable;
- (f) Upon completion of the machine count:
1. For each drop box, the counting machine shall generate the report required by 205 CMR138.48(3)(c);
  2. The currency, table game coupons, coin, tokens, and gaming chips counted shall be placed on the banking table; and
  3. Any drop box coupon which has not already been cancelled upon acceptance or during the count shall be cancelled prior to the conclusion of the count;
- (g) The forms and documents shall be compared to the preliminary master game report for accuracy by a count team member who shall not simultaneously have access to

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currency. Any discrepancies shall be recorded on the preliminary master game report to be resolved by the gaming accounting department. The forms and documents and preliminary master game report shall be placed in the locked accounting box to be forwarded to the accounting department at the end of the count process; and

(h) The count team supervisor shall prepare a detailed written report describing all count room incidents that may have negatively impacted the opening, counting and recording of the drop boxes (for example, a computer interface problem, dropped basket). The report shall include a description of any corrective action taken and shall be electronically filed with the IEB at the conclusion of the count.

(6) As the contents of each table drop box are counted, if not already recorded in the computer system used to create the Master Game Report and supporting documentation, a count team member shall manually record or cause a computer system to record, the following information by game and table number:

- (a) The value of each denomination of currency counted;
- (b) The value of coin, tokens and/or gaming chips counted;
- (c) The total value of currency, coin, tokens and gaming chips counted;
- (d) The value of each denomination and total value of coupons other than match play coupons;
- (e) The value of each denomination and total value of match play coupons and table game wager coupons;
- (f) 50% of the total value of match play coupons and table game wager coupons;
- (g) The amount recorded on each document and the total of all documents evidencing a debit card chip transaction;
- (h) The amount of the Opener;
- (i) The amount of the Closer;
- (j) The serial number and amount of each Counter Check and the total amount of all Counter Checks;
- (k) The serial number and amount of each Pit Redemption Form and the total of all Pit Redemption Forms;
- (l) The serial number and amount of each Fill and the total amount of all Fills;
- (m) The serial number and amount of each Credit and the total amount of all Credits;
- (n) The amount recorded on each Complimentary Vigorish Form and the total amount of all Complimentary Vigorish Forms;
- (o) The table game win or loss or, for poker, the poker revenue; and
- (p) The table game win or loss percentage.

(7) In addition to the requirements of 205 CMR 138.48(6), the Master Game Report shall include:

- (a) The gaming date of the items recorded;
- (b) The grand total for items in 205 CMR 138.46(6)(c) through (q);
- (c) The total number of drop boxes opened and counted; and

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(d) The date and time prepared.

(8) If the gaming licensee offers the game of poker, the count room supervisor shall review the Master Game Report to ensure that negative poker revenue has not been reported for any poker table. If negative poker revenue has been reported for a poker table, the count room supervisor shall initial the Master Game Report for each such poker table and immediately notify the surveillance department of the poker table(s) and corresponding negative poker revenue reported thereon.

(9) As the contents of each slot cash storage box are counted, if not already recorded in the computer system used to create the Slot Cash Storage Box Report and supporting documentation, a count team member shall manually record or cause a computer system to record, the following information by asset number:

(a) The asset number of the bill changer to which the slot cash storage box contents correspond;

(b) The value of each denomination and total value of currency counted;

(c) The number and value of each cashable coupon counted, and if a gaming voucher system is used to redeem coupons, the validation number and value of each coupon counted, and total number and value of all cashable coupons;

(d) The number and value of each non-cashable coupon counted, and if a gaming voucher system is used to redeem such coupons, the validation number and value of each coupon counted, and total number and value of all non-cashable coupons;

(e) A listing of the validation number and value of each gaming voucher counted, and total number and value of all gaming vouchers; and

(f) Any additional information on the Slot Cash Storage Box Report as may be required by the IEB.

(10) In addition to the requirements of 205 CMR 138.48(9), the Slot Cash Storage Box Report shall include:

(a) The gaming date of the items recorded;

(b) The grand total for items in 205 CMR 138.48(9)(b) through (e);

(c) The total number of drop boxes opened and counted;

(d) The date and time prepared.

(11) After preparation of the Master Game Report or the Slot Cash Storage Box Report, the count room supervisor shall compare the total number of boxes counted to the number of boxes, including any emergency boxes, collected and recorded on the box reconciliation form. Any unresolved discrepancy shall be documented on the Drop Variance Report which shall be filed with the IEB.

(12) All suspected counterfeit currency shall be counted and recorded as drop on the Master Game Report or Slot Cash Storage Box Report. The counterfeit currency shall be segregated from all other currency and placed in a transparent container. A count room supervisor shall complete a Department of Treasury Counterfeit Note Report and place the container and report on the banking table.

(13) A count team member designated as the banker shall count each denomination of currency, table game coupons, tokens, and gaming chips, and verbalize the amounts. The count room supervisor shall verify the amount verbalized to the amount recorded on the Master Game Report or Slot Cash Storage Box Report. The banker and count team supervisor shall sign the report(s) attesting to the accuracy of the information recorded thereon. The information recorded thereon shall not be accessible to any person outside the count room until after the main bank cashier or cage supervisor (cashier) has verified and

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accepted the drop unless otherwise authorized by the IEB.

(14) All other count team members shall sign the Master Game Report and/or the Slot Cash Storage Box Report as evidence of their participation in the counting of the drop boxes and/or slot cash storage boxes.

(15) After the contents of the boxes have been counted and recorded on the Master Game Report and/or Slot Cash Storage Box Report, the count room supervisor shall notify the main cage. A cashier shall enter the count room and not have any access to the information recorded on the Master Game Report or the Slot Cash Storage Box Report. The cashier, in the presence of the banker, shall count the currency, table game coupons, coins, tokens, gaming chips, and mutilated or torn items.

(a) Currency, table game coupons, coin, tokens, and gaming chips shall be presented in the count room by the banker to a main bank cashier or cage supervisor (cashier). Prior to having access to the information recorded on the Master Game Report or the Slot Cash Storage Box Report, the cashier, in the presence of the banker, shall count the items in accordance with the following requirements:

1. The cashier shall have physical access to all items presented for counting and no currency or table game coupons presented for counting shall be wrapped or placed in any sealed bag or container until the entire count has been completed and the Master Game Report or the Slot Cash Storage Box Report has been signed by the cashier;
2. The cashier shall bulk count all strapped currency and table game coupons. The cashier shall count all partial straps, loose currency and table game coupons, mutilated or torn currency and coupons, coin, tokens, and gaming chips either by hand or with an approved counting machine. If a discrepancy in an individual denomination is discovered during the initial count, the cashier shall recount the currency of that denomination either by hand or with an approved counting machine;
3. The cashier shall randomly count the currency within at least 10% of the total number of straps. The count shall be by hand or with an approved counting device; and
4. The cashier shall randomly sample the table game coupons for intermixed denominations and proper cancellation.

(b) If the total currency or total coupons counted by the cashier do not agree with a total on the Master Game Report or Slot Cash Storage Box Report and the discrepancy cannot be resolved, a Drop Variance Report shall be completed by the count room supervisor. The original shall be delivered to the IEB and the duplicate placed in the locked accounting box in the count room. The report shall include, at a minimum, the following:

1. The date of preparation;
2. The source of the variance (currency and/or coupon);
3. The denomination(s) of the source of the variance;
4. The amount of the variance;
5. The measures taken to detect the source of the variance;
6. The name and signature of the count room supervisor; and
7. The name and signature of the cashier.

(c) Upon completion of the cashier's count, the cashier shall attest by signature on the Master Game Report and/or Slot Cash Storage Box Report, that the amount of cash from drop boxes counted, and the amount of coupons from table drop boxes counted as recorded on these documents, and if applicable, the Drop Variance Report, agree with the total amounts of cash and coupons counted by the count team. Upon attestation, all items



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other than coupons and vouchers shall be under the exclusive control of the cashier and shall not be handled by a count team member.

- (16) Once all required signatures have been obtained, a copy of the totals page of the original Master Game Report, Slot Cash Storage Box Report and disc(s) detailing all gaming vouchers and coupons counted, shall be delivered to the IEB. In addition, an electronic copy of the Master Game Report and/or Slot Cash Storage Box Report shall be filed with the IEB within 48 hours of the completion of the drop.
- (17) Each copy of an original Master Game Report or Slot Cash Storage Box Report which is not part of a multi-part form shall be stamped with the word "copy" by the count room supervisor prior to its distribution.
- (18) Any coupons and gaming vouchers for which the value could not be determined by the count machine or the gaming voucher system shall be segregated and placed in the locked accounting box for review.
- (19) The original Master Game Report and Slot Cash Storage Box Report, after signing, and any other supporting documentation shall be placed in the locked accounting box located in the count room. A member of the gaming accounting department with no incompatible functions shall retrieve the contents of the locked accounting box and the gaming vouchers and coupons which were processed during the count immediately after the cashier verifies, accepts, and removes the drop from the count room.
- (20) For each trolley scheduled for the next drop, the count team supervisor shall determine that the number of empty boxes on the trolley is correct. The count team supervisor shall prepare and sign a drop box verification form as required by 205 CMR 138.00, with the following:
  - (a) The trolley number;
  - (b) The pit number and number of empty boxes by pit, if applicable;
  - (c) The slot zone and number of empty boxes by zone, if applicable; and
  - (d) The total boxes in the trolley.
- (21) A count room employee shall conduct a thorough inspection of the entire count room and all counting equipment located therein to verify that no cash, tokens, gaming chips, gaming vouchers, or coupons remain in the room and shall certify the foregoing in a writing which shall be filed with the IEB.

138.49: Procedure for Opening, Counting and Recording the Contents of Bill Validator Boxes, Kiosks, Determination of Gross Revenue Deduction

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures relative to opening, counting, and recording contents of bill validator boxes, kiosks, and determination of gross revenue deduction that include, at a minimum, the following provisions:

- (1) At least once every seven days, a gaming licensee shall coordinate the removal of the bill validator boxes from all kiosks and the insertion of empty, replacement bill validator boxes into the kiosks (the bill validator drop).
- (2) Prior to the bill validator drop, a gaming accounting supervisor shall count the number of empty bill validator boxes to be exchanged as part of the bill validator drop and confirm, in writing on a bill validator drop form, that the count equals the number of boxes scheduled to be collected. Prior to the drop, the form shall include at a minimum:
  - (a) The date;
  - (b) The kiosk number(s) or location(s);

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- (c) The number of boxes to be dropped; and
  - (d) The signature of the accounting supervisor.
- (3) A security department member and an accounting department member shall obtain the keys necessary to perform the bill validator drop from their respective departments.
- (4) In the presence of the security department member, the accounting department member shall:
- (a) Place the appropriate number of empty bill validator boxes required for the bill validator drop into a secure cart;
  - (b) Transport the cart and the boxes to the gaming area;
  - (c) Unlock the cabinet(s) housing the bill validator boxes;
  - (d) Exchange the bill validator boxes; and
  - (e) Place the boxes removed in the secure cart.
- (5) Immediately upon removal of each bill validator box, the kiosk or its back-office platform shall provide the information needed to prepare a receipt (Bill Validator Receipt) that documents the total value of each item (gaming vouchers, coupons and/or currency) in the bill validator box. Such receipt shall be placed into a locked accounting box by the accounting department member.
- (6) Prior to the movement of the collected boxes, the accounting department member shall verify and confirm in writing by signing the bill validator drop form, that the number of boxes being transported from the gaming area equals the number of boxes in 205 CMR 138.49(2)(c). Any discrepancies shall be immediately reported to the surveillance department and in writing to the IEB in-house office.
- (7) Accompanied by an accounting department member and a security department member, the locked cart containing the bill validator boxes shall be transported to:
- (a) The cashiers' cage for counting or a secure area approved by the IEB under the control of the main bank or master coin bank and stored there until counted; or
  - (b) The count room for counting only when the count of table game drop boxes or slot machine drop containers is not in progress.
- (8) The contents of the bill validator boxes shall be counted as follows:
- (a) If the boxes are counted in the cashiers' cage, a main bank or master coin bank cashier shall document their contents, by item and amount, on a two-part Balance Receipt.
    - 1. The cashier who documents the contents of boxes shall retain the original Balance Receipt as an inventory document until forwarded directly to the gaming accounting department with the main bank or master coin bank end-of-day paperwork.
    - 2. The cashier shall place the duplicate Balance Receipt in a locked accounting box.
  - (b) If the boxes are counted in the count room, the gaming accounting department member(s) performing the count shall document the count for each individual bill validator box on a Balance Receipt. If the counting equipment documents the count of each individual bill validator box, the gaming vouchers, coupons and currency need only be documented for the entire bill validator drop and not for each individual bill validator box. At the completion of the count, a main bank or master coin bank cashier shall verify the contents on the Balance Receipt.
    - 1. The accounting department member(s) shall transport the gaming vouchers and coupons directly to the accounting department together with the original Balance

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Receipt and the supporting documentation for each bill validator box.

2. The main bank or master coin bank cashier shall transport the currency directly to the main bank or master coin bank together with the duplicate Balance Receipt.

(9) A gaming licensee shall generate reports necessary to reconcile the funds placed into and dispensed by the kiosks.

138.50: Internal Controls E: (Reserved)

138.51: Accounting Controls for Gaming Voucher Redemption Kiosks

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions governing a computerized gaming voucher system for the redemption of gaming vouchers that comports with 205 CMR 143.00: *Gaming Devices and Electronic Gaming Equipment* and for the reconciliation of the contents of the redemption kiosks.

138.52: Slot Machines and Bill Changers; Coin and Token Containers; Slot Cash Storage Boxes; Entry Authorization Logs

A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures relative to slot machines and bill changers that include, at a minimum, provisions to ensure that all gaming devices and electronic gaming equipment in the gaming establishment comport with 205 CMR 143.00: *Gaming Devices and Electronic Gaming Equipment*.

138.53: Progressive Slot Machines

If a gaming licensee offers one or more progressive jackpots that increase in value as the machine is played based upon a set rate of progression and awarded when a player achieves a specific game outcome, the system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and protocols as provided by 205 CMR 143.02: *Progressive Gaming Devices*.

138.54: Linked Slot Machines Interconnected in More than One Gaming Establishment; Slot System Operator; Computer Monitor

Prior to participation by a gaming licensee in a multi-casino progressive slot system, the gaming licensee shall submit a system of internal controls in accordance with 205 CMR 138.02 specifying the manner in which the participating gaming licensees and slot system operators will satisfy the provisions of 205 CMR 143.02: *Progressive Gaming Devices*.

138.55: Inspection of Slot Machine Jackpots

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures governing the inspection of slot machines and electronic gaming devices including, at a minimum, the following provisions:

- (1) For all slot machine and other electronic gaming device jackpots over \$75,000 in cash, merchandise, or cash equivalent value, or any jackpot where there is evidence of a malfunction, the gaming licensee shall notify the IEB that a jackpot has been registered and permit the IEB to inspect any slot machine, progressive equipment or related equipment; and
- (2) Policies with respect to the payment of jackpots if an inspection is pending, but not yet completed, or an inspection is performed and the results are such that the jackpot may have been the result of an impropriety.

138.56: Attendant Paid Jackpots and Credit Meter Payouts

The system of internal controls submitted by a gaming licensee in accordance with 205

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

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

- (1) Slot machine tournaments may not be played with cash, value chips, plaques, gaming vouchers or other cash equivalents.
- (2) A gaming licensee may charge an entry fee to participate in a slot machine tournament. A gaming licensee that charges an entry fee shall submit an acknowledgment of the total fees collected to the IEB by 10:00 A.M. on the day following the conclusion of the tournament.
- (3) A system of internal controls submitted in accordance with 205 CMR 138.02, which shall be maintained by the gaming licensee, shall set forth a process that provides for submission of a written notice to the Bureau at least five business days prior to the commencement of a slot machine tournament, which shall include, at a minimum, the following:
  - (a) A general description of how the slot machine tournament will be conducted and a copy of the rules governing play;
  - (b) The dates and times that the tournament will be conducted;
  - (c) Participation eligibility requirements including:
    1. Who is eligible to participate;
    2. The minimum and maximum number of participants; and
    3. Entry fees charged.
  - (d) The criteria used to determine the winners;
  - (e) The monetary amount or description of the prizes to be awarded;
  - (f) The details of when and how the prizes will be awarded;
  - (g) The asset and gaming floor plan location numbers of the slot machines that will be used to conduct the slot machine tournament; and
  - (h) How the slot machine tournament area will be segregated from patrons who are not participating in the slot machine tournament.
- (4) In addition to filing a notice required under 205 CMR 138.57(3), a gaming licensee shall submit a copy of the notice to the Commission's finance department.
- (5) Advertising to promote a slot machine tournament must, at a minimum:
  - (a) Contain information regarding who is eligible to participate; and
  - (b) Include a copy of the slot machine tournament rules or state how a copy of the rules may be obtained.
- (6) A slot machine used for a slot machine tournament must:
  - (a) Use tournament software certified in accordance with 205 CMR 144.00: *Approval of Slot Machines and Other Electronic Gaming Devices and Testing Laboratories*;
  - (b) Maintain connectivity with the Central Monitoring System (CMS); and

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(c) Have the functionality of the bill validator, ticket printer and electronic funds transfer meters disabled during the slot machine tournament so that the slot machine does not accept cash or credits or make payouts during tournament play.

(7) Before and after a slot machine tournament, the gaming licensee shall:

(a) Receive approval from the Network Operations Center to place the slot machine in and take it out of tournament mode; and

(b) Ensure that the Network Operations Center has recorded all meter settings on all slot machines used in the tournament.

(8) A gaming licensee shall maintain records related to the conduct of a slot machine tournament in accordance with 205 CMR 138.09. These records shall be made available to the commission upon request and must include, at a minimum:

(a) A copy of the notice required under 205 CMR 138.57(3); and

(b) The names and addresses of all prize winners and the prize each winner was awarded.

(9) An activity involving a slot machine or other gaming equipment which occurs on the gaming floor of a gaming establishment or in areas off the gaming floor where contests or tournaments are conducted and which results in an individual obtaining any money or thing of value from, or being owed any money or thing of value by, a gaming licensee must have surveillance coverage.

138.58: Alternate Forms of Jackpot Payments

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions governing the offer and payment of alternate forms of jackpots to include, but not be limited to:

(1) If the jackpot is in the form of an annuity or other non-cash instrument, the terms and conditions on which that jackpot will be authorized, awarded and accounted for, including for any annuity jackpot a provision ensuring that, except as otherwise directed by the recipient, any remaining payments will be paid to the recipient's estate after the recipient's death;

(2) If the jackpot is in the form of merchandise, the terms and conditions on which that jackpot will be authorized, awarded and accounted for; and

(3) That appropriate tax forms are completed.

138.59: Procedure for Filling Payout Reserve Containers of Slot Machines and Hopper Storage Areas

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures for filling payout reserve containers of slot machines and hopper storage areas, if utilized.

138.60: Procedure Governing the Removal of Coin, Slot Tokens and Slugs from a Slot Machine Hopper

If a gaming licensee slot machines at the gaming establishment that accept coins, the system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures governing removal of coin, slot tokens, and slugs from a slot machine hopper.

138.61: Slot Accounting Requirements; Electronic Table Games Which Accept Gaming Vouchers or Coupons Redeemed by Gaming Voucher System

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include slot accounting procedures designed to ensure that the gaming licensee's slot activities are accurately and timely recorded and reported. Specifically, the policies and procedures, which shall comport with 205 CMR 143.03: *On-line Monitoring*

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*and Control Systems (MCS) and Validation System*, shall include, but not be limited to:

- (1) Identification of the specific types of gaming devices from which the revenue is considered slot revenue for reporting purposes.
- (2) The specific reports, by content and frequency, generated by the licensee's automated slot monitoring system, including the distribution thereof and the controls in place to maintain the integrity of the information contained therein.
- (3) The specific procedures utilized by the accounting department to review reports generated by the slot monitoring system and compare the information contained therein to supporting documents to include, but not be limited to:
  - (a) Records of currency, coupons and gaming vouchers inserted for credit;
  - (b) Records of wagering activities from account based wagering reports;
  - (c) Records of wagering activities from electronic fund sources;
  - (d) Records of fills;
  - (e) Records of jackpot and credit meter payouts;
  - (f) Records of voucher payouts;
  - (g) The contents, as counted, of slot cash storage boxes;
  - (h) Variances reported in the slot cash storage box count process;
  - (i) Such other documents that support the reported activity of a slot machine or other electronic gaming device.
- (4) Its detailed procedures to investigate and resolve differences, identified by the accounting department, resulting from the comparisons identified in 205 CMR 138.61(3), including supervisory approval thereof.
- (5) Its detailed procedures to audit and account for the activities of its slot machines on a manual basis, in the event that the automated slot monitoring system is not functional.
- (6) The form and frequency of its completed slot revenue reports to include the specific information contained therein (for example, revenue by machine, revenue by denomination, *etc.*), in a manner that is consistent with other reporting requirements.

138.62: Payment of Table Game Progressive Payout Wagers; Supplemental Wagers Not Paid from the Table Inventory

If a gaming licensee offers, at its table games, one or more progressive jackpots that increase in value as the game is played based upon a set rate of progression and the jackpot is awarded to a patron when a specific result or outcome is achieved, the system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and protocols as provided by 205 CMR 143.02: *Progressive Gaming Devices*.

138.63: Slot Machines and Other Electronic Gaming Devices; Authorized Locations; Movements

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions governing the movement and placement of electronic gaming devices, including Sports Wagering Kiosks, that, at a minimum, comport with 205 CMR 145.00: *Possession of Slot Machines and Electronic Gaming Devices*. Such provisions shall at a minimum ensure that:

- (1) All drop boxes, bill validator stackers, ticket vouchers, printer paper, tokens and revenue are removed from an electronic gaming device prior to removal from the gaming area or Sports Wagering Area; and

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(2) All security locks and slot seals affixed pursuant to 205 CMR 144.03(2)(b) are removed from an electronic gaming device in a secure location within the gaming establishment prior to shipment from the gaming establishment.

138.64: Accounting Controls for Chippersons and Chips

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR shall include policies and procedures governing the processes of fills and credits. At a minimum, such policies and procedures shall:

(a) Identify the department(s) and individual(s) responsible for performing the duties of fills and credits, including:

1. The steps involved in the processes of both fills and credits;
2. Whether the processes will be performed manually or electronically; and
3. Signatures of the department(s) and individual(s) performing the fills and credits.

(b) Explain the duties of table game employee(s), the duties of main bank employee(s), and the duties of security personnel, including detailed recording procedures of the fill or credit transaction.

(c) Include notification to the surveillance department by the bank or by pit personnel that a fill or credit is being performed, including:

1. Notification of errors pertaining to fills and credits;
2. Identification of the department(s) and individual(s) responsible for correcting errors pertaining to fills and credits; and
3. Procedures for voided transactions and manual transactions.

138.65: Cashless Wagering Systems: (Reserved)

138.66: Master Lists of Approved Table Games, Movements of Gaming Equipment; Amendments of Operation Certificates upon Filing Updated Master List

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions relative to the movements of gaming equipment that incorporate, at a minimum, the following provisions:

(1) In order to conduct gaming or simulcast wagering, each gaming licensee shall file with the IEB office in the gaming establishment comprehensive lists of the table games in its gaming establishment (the Table Games Master List), if any.

(2) At a minimum, each Table Game Master List shall contain the following information:

(a) The date on which the list was prepared;

(b) A description of each table by:

1. Type of authorized game;
2. Location number; and
3. Serial and table number; and

(c) Such other information as the commission may require.

(3) Whenever a gaming licensee proposes that gaming tables be brought into, removed from or moved within a gaming establishment, as applicable, the gaming licensee shall first:

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- (a) Ensure that the resulting table game configuration will be consistent with the approved floor plan in accordance with 205 CMR 138.07 and that the number of table games is within the authorized number allowed under the operations certificate issued in accordance with 205 CMR 151.01: *Issuance and Posting of Operation Certificate*; and
  - (b) Provide an authorized agent of the IEB with written notice at least 24 hours prior to the actual movement of each gaming table.
- (4) The gaming manager or his or her designee shall notify in writing the accounting department, the security department and the IEB, at least 24 hours in advance of all movements and removals of gaming tables. The notification shall include at a minimum:
- (a) The date and time of movement or removal;
  - (b) The gaming table(s) or asset number(s), as applicable;
  - (c) Whether a movement or removal;
  - (d) The location from which gaming table will be moved;
  - (e) The location to which the gaming table will be moved; and
  - (f) The signature of a gaming manager or designee.
- (5) Prior to moving or removing a gaming table:
- (a) The table inventory shall be credited from the table; and
  - (b) The table drop box shall be removed during a scheduled drop box pick-up and a replacement box not placed on the table.
- (6) Immediately after each gaming table is brought into, removed from or moved within a gaming establishment, the gaming licensee completing the move shall file and serve, in accordance with 205 CMR 138.66(1), updated master lists of its table games to the extent that the move causes a change in the information contained on the most recent version of the applicable list on file with the IEB.

138.67: Employee Signatures

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions relative to signatures required in accordance with the internal controls and 205 CMR in general that incorporate the following provisions:

- (1) Signatures shall, at a minimum, comply with either of the following requirements:
  - (a) If written, they shall be the signer's first initial, last name, and legible credential number, written by the signer, and be immediately adjacent to or above the title of the signer; or
  - (b) If electronic, they shall be the employee's name and identification number or other computer identification code issued to the employee by the gaming licensee, if the document to be signed is authorized to be generated by computer; and
  - (c) They shall signify that the signer has personally prepared forms, records, and documents, and/or authorized, observed, and/or participated in a transaction to a sufficient extent to attest to the accuracy of the information recorded thereon, in conformity with the internal controls.
- (2) Written signature records shall be prepared for each employee required to sign records and documents and shall include specimens of signatures, titles of signers and the date the signature was obtained. Such signature records shall be maintained alphabetically by last name either on a company-wide or departmental basis. The signature records shall be adjusted on a timely basis to reflect changes of personnel.
- (3) Signature records shall either be:



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- (a) Securely stored in the accounting department; or
- (b) Stored in electronic form and maintained by the IT Department in a secure format so that such signature records can be promptly retrieved in the event of a computer failure.

138.68: Expiration of Gaming-related Obligations Owed to Patrons; Payment to the Gaming Revenue Fund

(1) The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include provisions governing the expiration of gaming-related obligations, and unclaimed cash and prizes that provide, at a minimum, that:

- (a) Any money that is owed to a patron by a gaming licensee as a result of a gaming transaction must be claimed within one year of the date of the gaming transaction or the obligation of the gaming licensee to pay the patron will expire. Upon expiration of the obligation, the involved funds must be transferred to the Gaming Revenue Fund in accordance with M.G.L. c. 23K, §§ 53 and 59. In calculating the one year period referenced in 205 CMR 138.68(1) and in M.G.L. c. 23K, § 53, any period of time for which the gaming establishment was not in operation shall be excluded;
- (b) Any unsecured funds that did not register on a slot machine's coin-in meter, as described in 205 CMR 138.33(7), must be claimed by the owner within one year of the date the funds are located or the obligation of the gaming licensee to pay the patron will expire. Provided, verification procedures designed to prevent fraudulent claims shall be included in the provision. Upon expiration of the obligation, the cash or equivalent cash value of the subject funds shall be transferred to the Gaming Revenue Fund in accordance with M.G.L. c. 23K, §§ 53 and 59. In calculating the one year period referenced in 205 CMR 138.68(1) and in M.G.L. c. 23K, § 53, any period of time for which the gaming establishment was not in operation shall be excluded; and
- (c) A gaming licensee shall maintain a record of all unclaimed cash and prizes and gaming-related obligations that have expired.

(2) Before the end of each calendar month the gaming licensee shall report the total value of gaming debts owed to its patrons that expired during the preceding calendar month in a format prescribed by the commission.

(3) Each gaming licensee shall submit a check with its monthly report payable to the Gaming Revenue Fund in accordance with M.G.L. c. 23K, § 59 in the amount of the gaming debts owed to its patrons that expired during the preceding month as stated in the report.

(4) Upon the payment of the expired debt, the gaming licensee shall post the payment and remove the amount from its records as an outstanding debt.

(5) Failure to make the payment to the Gaming Revenue Fund by the due date shall result in the imposition of penalties and interest as prescribed by 205 CMR.

(6) Nothing in 205 CMR 138.68 shall preclude the gaming licensee from, in its discretion, issuing cash or other form of complimentary to a patron to compensate the patron for a gaming debt that has expired.

138.69: Entertainment, Filming or Photography within the Gaming Area

(1) No entertainment, filming or photography shall be offered or conducted within the gaming area, or shall be significantly visible or audible from or in the gaming area, unless the gaming licensee files a written notice with the IEB, at least 24 hours prior to the commencement of such entertainment, filming or photography, which notice shall include, at a minimum, the following information:

- (a) The date and time of the scheduled entertainment, filming or photography;
- (b) A detailed description of the type of entertainment, filming or photography to be

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offered;

- (c) The number of persons involved in the entertainment, filming or photography;
- (d) The exact location of the entertainment, filming or photography in the gaming area;
- (e) A description of any additional security measures that will be implemented as a result of the entertainment, filming or photography; and
- (f) A certification from the supervisors of the gaming licensee's security, gaming operations, and surveillance departments that the proposed entertainment, filming or photography will not adversely affect the security and integrity of gaming operations.

(2) The IEB may at any time require the gaming licensee to immediately cease any entertainment, filming or photography offered within the gaming area, if the entertainment, filming or photography provided material is in any manner different from the description contained in the submission filed pursuant to 205 CMR 138.69(1) or in any way compromises the security or integrity of gaming operations.

(3) In reviewing the initial or continued suitability of an entertainment, filming or photography proposal, the IEB shall consider the extent to which the entertainment, filming or photography proposal may unduly disrupt or interfere with:

- (a) Efficient gaming operations;
- (b) The security of the gaming establishment or any portion thereof;
- (c) Surveillance operations; or
- (d) The security or integrity of gaming operations or any authorized game.

138.70: Technical Standards for Count Room Equipment

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall identify all equipment used in the counting process of the contents of drop boxes, slot cash storage boxes, slot drop buckets, and slot drop boxes that include, at a minimum, the provisions in 205 CMR 138.70(1) through (3):

- (1) A detailed description of the design and use of the computer equipment and any communication interfaces related to the counting process;
- (2) Names of all revenue files and who has access and what type of access they have to these files; and
- (3) Procedures for controlling changes to computer equipment, communication interfaces, configuration, and software which provide for, at a minimum, written or electronic notification in accordance with 205 CMR.

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

(1) A gaming licensee may conduct a gaming tournament for any table game authorized by the Commission pursuant to 205 CMR 147.00: *Uniform Standards of Rules of the Games*.

(2) A system of internal controls submitted in accordance with 205 CMR 138.02, which shall be maintained by the gaming licensee, shall set forth a process that provides for submission of a written notice to the Bureau at least five business days prior to the commencement of a gaming tournament, which shall include, at a minimum, the following:

- (a) The date(s), time(s), and location(s) of the scheduled gaming tournament;
- (b) The number of participants expected;
- (c) The game type;

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- (d) Rules concerning tournament play and participation;
  - (e) The prize structure;
  - (f) Dealer tips determined in accordance with 205 CMR 138.34, if applicable;
  - (g) Participant registration procedures;
  - (h) The methodology for determining winners;
  - (i) The equipment to be used;
  - (j) Forms utilized in connection with the tournament;
  - (k) A description of security and surveillance measures that will be implemented for the gaming tournament;
  - (l) A certification from the supervisors of the gaming licensee's security, gaming operations, and surveillance departments that the proposed gaming tournament will not adversely affect the security and integrity of gaming operations;
  - (m) A certification from the gaming establishment controller or designee that he or she has reviewed the rules for the tournament in regard to gaming tournament revenue reporting and certified conformance with 205 CMR 140.02(2)(c); and
  - (n) A certification from a holder of a key gaming employee license that the tournament will be conducted in accordance with the tournament rules developed pursuant to 205 CMR 138.71(2).
- (3) Tournaments may not be played with cash, value chips, plaques, gaming vouchers or other cash equivalents. Table game tournaments shall be conducted using tournament chips.
- (4) A gaming licensee may charge an entry fee to participate in a tournament. The gaming licensee that charges an entry fee shall submit electronically the revenue from the tournament at the end of gaming day following the conclusion of the tournament.
- (5) The IEB may at any time require the gaming licensee to immediately cease any tournament or promotional event offered within the gaming area if the tournament or promotional event provided is in any material manner different from the description contained in the submission filed pursuant to 205 CMR 138.71(2) or in any way compromises the security or integrity of gaming operations.
- (6) No false or misleading statements, written or oral, shall be made by a licensee or its employees regarding any aspect of any promotional activity.
- (7) The licensee shall maintain the rules of the event, including eligibility to participate, criteria for entry and winning prizes awarded, and prize winners, for a minimum of two years from the last day of the event. Written rules governing the tournament or promotional event shall be made immediately available to the public and the commission upon request.
- (8) All prizes offered in the promotional activity shall be awarded according to the rules governing the event.
- (9) Large tournaments and promotions held in non-gaming areas will be submitted and reviewed on a case-by-case basis.
- (10) Payouts from promotional activities are not winnings paid to patrons and as such shall not be deductible when calculating gross gaming revenue in accordance with 205 CMR 140.02: *Computation of Gross Gaming Revenue*.
- (11) Promotional coupons shall contain the following information preprinted on the coupon:

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- (a) The name of the gaming establishment;
- (b) The city or other locality and state where the gaming facility is located;
- (c) The specific value of any monetary coupon stated in U.S. dollars;
- (d) Sequential identification numbers, player tracking numbers with unique numbers added to them, or other similar means of unique identification of each coupon for complete and accurate tracking and accounting purposes;
- (e) An expiration date; and
- (f) All conditions required to redeem the coupon.

(12) Licensees offering promotional coupons shall track the issuance and redemption of each promotional coupon. Documentation of the promotional coupon tracking shall be maintained on file for two years and made readily available to the Bureau upon request. The inventory of unissued promotional coupons must be maintained in a reasonable manner that prevents theft or fraud.

(13) Promotional coupons shall be cancelled at the time they are redeemed in a manner that will prevent multiple redemptions of the same coupon.

(14) An activity involving a table game or other gaming equipment which occurs on the gaming floor of a gaming establishment or in areas off the gaming floor where contests or tournaments are conducted and which results in an individual obtaining any money or thing of value from, or being owed any money or thing of value by, a gaming licensee must have surveillance coverage.

138.72: Policies and Procedures for Ensuring a Workplace Free from Unlawful Discrimination, Harassment and Retaliation

(1) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures, or incorporate by reference existing corporate policies, relative to ensuring a workplace free from unlawful discrimination, harassment and retaliation. These policies and procedures shall comply with all federal, state, and local laws relating to unlawful discrimination, harassment, and retaliation, and shall include, at a minimum:

- (a) Specific written policies prohibiting unlawful discrimination, harassment and retaliation in the workforce, as well as a statement that the gaming licensee complies with all applicable federal, state and local laws relating to unlawful discrimination, harassment and retaliation. Without limiting any of the below, such policies shall at a minimum incorporate all elements of the Massachusetts Commission Against Discrimination (MCAD) Model Sexual Harassment Policy;
- (b) Specific written procedures outlining how concerns, allegations or claims regarding unlawful discrimination, harassment and retaliation are to be reported, including multiple reporting options such as reporting to: an employee's direct supervisor or another supervisor within the organization; any member of the human resources staff; the general manager or president of the property where the employee works; a reporting hotline; and/or any member of the gaming licensee's legal department. The procedures shall identify by name and/or title, address and telephone number at least two individuals to whom concerns of discrimination, harassment or retaliation may be reported; provided, further, that any employee with supervisory powers shall report complaints, concerns or other matters arising or reported under these policies and procedures to the representatives of the organization so identified, and shall be trained on the obligation to ensure immediate and appropriate corrective action in addressing harassment complaints. The licensee shall ensure and shall inform employees that individuals of different genders are available for reporting of complaints. The licensee's procedures may suggest, but need not require, a specific reporting process;
- (c) The identification of a specific position at the property or corporate level (or both)

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that is responsible for overseeing and enforcing the policies and procedures;

(d) A requirement that each employee receive a copy of the policies and procedures as part of the gaming licensee's onboarding process;

(e) A requirement that training on unlawful discrimination, harassment and retaliation be provided by the gaming licensee to all employees within 90 days of the date of hire and every two years thereafter;

(f) A personal relationships policy that identifies prohibited personal relationships as well as the disclosure requirements for personal relationships;

(g) A statement in the policies and procedures that all concerns, allegations or claims will be investigated promptly and that all concerns, allegations or claims will be handled in a confidential manner to the extent possible to ensure a thorough and complete investigation of the concern, allegation or claim; and

(h) A listing of the federal and state agencies located in the Commonwealth that enforce the unlawful discrimination, harassment and retaliation laws, including names and addresses of each location within the Commonwealth of the offices of such agencies.

(2) A gaming licensee shall create a process and procedure to track that all employees attend training as required.

(3) A gaming licensee shall review its policies and procedures every two years to ensure that such policies and procedures comply with all federal, state and local laws relating to unlawful discrimination, harassment and retaliation.

(4) A gaming licensee and its corporate parent qualifying entity (as designated by the Bureau) shall each maintain the following information for the previous calendar year regarding their respective employees:

(a) each concern, allegation or claim of unlawful discrimination, harassment or retaliation reported to the gaming licensee and/or to the corporate parent qualifying entity and the method used to report such concerns, allegations or claims.

(b) for each concern, allegation or claim identified in 205 CMR 138.72(4)(a):

1. the identity, by name or title, of the representative of the licensee or corporate parent qualifying entity who investigated the concerns, allegations or claims;

2. the manner in which the concerns, allegations or claims were investigated; and

3. the ultimate resolution of the concern, allegation or claim, such as whether the concern, allegation or claim was resolved internally (by agreement, disciplinary action up to and including termination, or settlement and/or separation agreement) and/or filed with the appropriate federal, state or local authority; provided further, if the matter was resolved by settlement or separation agreement, the licensee or corporate parent qualifying entity shall maintain a copy of such agreement;

(c) a general description of the concerns, allegations or claims, *i.e.*, sexual harassment, unlawful discrimination, retaliation;

(d) a listing of the number of concerns, allegations or claims awaiting investigation or resolution;

(e) a breakdown of the concerns, allegations or claims by the type of concern, allegation or claim and by the level of employee, member of the public/patron or vendor against whom the concern, allegation or claim was made;

(f) the gaming licensee's unlawful discrimination, harassment or retaliation policies and procedures with any changes made to the policies and procedures within the last year highlighted;

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(g) information relating to the training required by 205 CMR 138.72(1)(e), including a listing of the training sessions provided and the number of employees trained by position records of the dates of training; names of participants/sign-in sheets; the identity and title of the trainers; and a brief description of the training; and

(h) a statement signed by the gaming licensee's head of human resources at the gaming licensee's corporate level that the gaming licensee and the corporate parent qualifying entity have complied with their policies and procedures and that the information compiled as required in 205 CMR 138.72(4) is true and correct to the best of such representatives' knowledge and belief.

The Commission shall have the right to review such information upon reasonable notice to the licensee. When providing information identified in 205 CMR 138.72(4)(a) through (d), for review, the licensee and the corporate parent qualifying entity may produce such information in a format that does not include: names of the individual(s) reporting the concern, allegation or claim; the names of witnesses; and specific details of the concern, allegation or claim which could be used to identify the individuals involved in the underlying incident(s).

(5) The gaming licensee shall ensure that any concerns, allegations or claims relating to unlawful discrimination, harassment or retaliation are investigated and resolved in accordance with 205 CMR 138.00 and all other applicable laws and regulations.

(6) The Commission shall have the right, upon request and notice to the gaming licensee, to review any gaming licensee records pertaining to the policies and procedures outlined in 205 CMR 138.72.

138.73: Personally Identifiable Information and Confidential Information Security

(1) Any Confidential Information and Personally Identifiable Information obtained and maintained with respect to a patron, shall be obtained and maintained in compliance with the privacy regulations and standards observed by the Commission, including the application of M.G.L. c. 93H, 201 CMR 17.00: *Standards for the Protection of Personal Information of Residents of the Commonwealth*, and any other applicable law, regulation or court order for the protection of Personally Identifiable Information or Confidential Information for any patron regardless of residency.

(2) A system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include procedures for the security and sharing of Personally Identifiable Information and Confidential Information, including:

(a) The designation and identification of one or more employees having primary responsibility for the design, implementation and ongoing evaluation of such procedures and practices;

(b) The procedures to be used to determine the nature and scope of all information collected, the locations in which such information is stored, and the storage devices on which such information may be recorded for purposes of storage or transfer;

(c) The measures to be utilized to protect information from unauthorized access; and

(d) The procedures to be used in the event the gaming licensee determines that a ~~breach-~~ Data Breach as defined in 205 CMR 257.01 ~~of data security~~ has occurred, including required notification to the Commission or any other person or entity.

REGULATORY AUTHORITY

205 CMR 138.00: M.G.L. c. 23K, §§ 4(28), 5, 25(d), 27 and 28, M.G.L. 23N, -§§ 4, 6, and 10





## **SMALL BUSINESS IMPACT STATEMENT**

The Massachusetts Gaming Commission (“Commission”) hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2 relative to the proposed amendment of **205 CMR 138 UNIFORM STANDARDS OF ACCOUNTING PROCEDURES AND INTERNAL CONTROLS**.

This regulation was amended as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23K, §5 and G.L. c. 23N, §4. The proposed amendments are intended to incorporate obligations and responsibilities relative to Sports Wagering for gaming licensees which may be licensed to conduct Sports Wagering, such as the safeguarding and protection of confidential and personally identifiable patron information.

The regulation applies to potential sports wagering operators and the Commission. Accordingly, this regulation is unlikely to have an impact on small businesses. Under G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

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

This regulation is unlikely to have an impact on small businesses.

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

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

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

No standards applicable to small businesses are set forth. Provided standards are performance standards.

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

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.



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

This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission

By:

/s/ Caitlin Monahan

Caitlin Monahan, Deputy General Counsel

Dated: May 25, 2023

DRAFT



Massachusetts Gaming Commission

**205 CMR 238.00: ADDITIONAL UNIFORM STANDARDS OF ACCOUNTING PROCEDURES AND INTERNAL CONTROLS FOR SPORTS WAGERING**

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238.01: Definitions

As used in 205 CMR 238.00, the following words and phrases shall have the following meanings, unless the context clearly indicates otherwise:

Cash means currency or coin.

Cash Equivalent means a certified check, cashier's check, treasurer's check, personal check, travelers' check, money order, or other instrument as specified by the Commission.

Check means as defined in M.G.L. c. 106, §§ 3 through 104.

Chief Sports Wagering Executive means the individual responsible for the daily conduct of a Sports Wagering Operator's business. Unless the Chief Sports Wagering Executive also serves as the Chief Executive Officer of the Sports Wagering Operator, the Chief Sports Wagering Executive shall report directly to the Chief Executive Officer of the Sports Wagering Operator.

Confidential Information means information related to a Sports Wagering Account, the placing of any Wager or any other sensitive information related to the operation of Sports Wagering including the amount credited to, debited from, withdrawn from, or present in any particular Sports Wagering Account; the amount of money Wagered by a particular patron on any event or series of events; the unique patron ID or username and authentication credentials that identify the patron; the identities of particular Sporting Events on which the patron is Wagering or has Wagered; or the location from which the patron is Wagering, has Wagered, or has accessed their Sports Wagering Account. Confidential Information may also include Personally Identifiable Information.

Personally Identifiable Information means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular patron, individual or household. Personally Identifiable Information includes, but is not limited to, Personal Information as that phrase is defined in M.G.L. c. 93H and 201 CMR 17.00. Personally Identifiable Information may also include Confidential Information.

Segregated Account means a financial account that segregates funds owned by patrons and that is restricted to funds owned by patrons in the United States, and not comingled with the Sports Wagering Operator's operational funds.

Sports Wagering Counter means any a window in a structure approved by the Commission within a Gaming Establishment or Sports Wagering Facility from which a Ticket Writer conducts Sports Wagering transactions.

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Ticket Writer means a person assigned the responsibility for the operation of a Ticket Writer Station.

Ticket Writer Station means a point of sale used by a Ticket Writer for the execution or formalization of Sports Wagers placed on behalf of a patron.

238.02: Sports Wagering Operator's System of Internal Controls

- (1) At least 45 days prior to commencing operations, a Sports Wagering Operator shall submit to the Commission its proposed system of Internal Controls, consisting of procedures and administrative and accounting controls, in accordance with 205 CMR 238.02(4). An Operations Certificate shall not issue until the Operator's Internal Controls are approved in accordance with 205 CMR 238.02(2).
- (2) A system of Internal Controls shall be organized and formatted as required by the Commission.
- (3) The Commission shall refer the proposed system of Internal Controls submitted in accordance with 205 CMR 238.02(1) to the Executive Director, who shall review the submission for compliance with M.G.L. c. 23N and 205 CMR. Upon completion of review, the Executive Director shall, in writing, either approve the submission or advise the Sports Wagering Operator of any deficiency, and any corresponding recommendation or required change. The Executive Director may include any other recommendations or required changes intended to ensure that a robust system of Internal Controls is implemented by the Sports Wagering Operator. The Sports Wagering Operator may, by writing to the Executive Director, either accept a recommendation or required change or dispute the recommendation or required change. If the Sports Wagering Operator disputes the recommendation or required change, the Sports Wagering Operator shall also provide the reason(s) for its dispute. Any such dispute shall be resolved by the Commission.
- (4) The Commission or the Executive Director may revisit any provision of a Sports Wagering Operator's Internal Controls at any time and render recommendations and required changes as necessary. If the Commission or Executive Director renders any such recommendations and required changes, the Commission or Executive Director shall provide the Sports Wagering Operator a reasonable period to implement any such recommendations and required changes. Upon approval by the Executive Director, the Executive Director shall issue a written approval to the Sports Wagering Operator, including any associated conditions.
- (5) If a Sports Wagering Operator seeks to change any provision of its approved Internal Controls, the Sports Wagering Operator shall submit the proposed change, including an explanation thereof, and new certifications from its chief legal and financial officers consistent with 205 CMR 238.02(7)(i) and (j), to the Commission within 15 days of determining that such a change is necessary. The Commission shall refer the proposed change to the Executive Director who shall review the proposal for compliance with 205 CMR 238.00. Changes to the system of Internal

Controls will generally be permitted if the proposed change does not lessen the applicable administrative, accounting, or physical control the Sports Wagering Operator has over its operations in the Commonwealth. Upon completion of review, the Executive Director shall either approve the proposed change or advise the Sports Wagering Operator in writing as to why the proposal does not comply with 205 CMR 238.00. The Sports Wagering Operator may appeal the Executive Director's determination to the Commission, which shall resolve the dispute.

Approved changes shall be maintained as part of the approved Internal Controls.

- (6) A Sports Wagering Operator shall not implement modifications to Internal Controls until approved by the Executive Director or the Commission. Until such time, the Sports Wagering Operator shall continue to implement the most recently approved Internal Controls; provided, however, that if the Executive Director does not object to or otherwise respond to the submission in writing within 15 business days of receipt of the submission, the Sports Wagering Operator may implement the proposed change subject to further direction by the Executive Director in accordance with 205 CMR 238.02(4).
- (7) The Internal Controls shall, at a minimum, include the following:
  - (a) Administrative controls which include, as their primary objective, policies and procedures designed to assure that all activities and transactions of the Sports Wagering Operator are instituted and completed in accordance with applicable policy or procedure;
  - (b) Accounting controls which include, as their primary objective, procedures to assure that all activities and transactions of the Sports Wagering Operator are accurately reported and recorded in accordance with generally accepted accounting principles;
  - (c) Reporting controls which include policies and procedures for the timely furnishing of economic and social impact reports, and standard financial and statistical reports and information in accordance with 205 CMR 239.00;
  - (d) For Category 1 Sports Wagering Operators and Category 2 Sports Wagering Operators, the Internal Controls required for a gaming establishment as specified in 205 CMR 138.00: *Uniform Standards of Accounting Procedures and Internal Controls* shall apply to a Sports Wagering Area and Sports Wagering Facility. Where compliance with the provisions of both 205 CMR 138 and 205 CMR 238 is not possible, a Gaming Licensee or Sports Wagering Operator shall comply with 205 CMR 138 with respect to gaming operations and 205 CMR 238.00 with respect to Sports Wagering Operations and identify its intent to do so in its written system of Internal Controls; provided, that:

1. in a Category 2 Sports Wagering Facility, an individual supervising a surveillance department monitoring room in accordance with 205 CMR 138.04(2)(a) shall hold an Occupational License in accordance with 205 CMR 235.00 rather than being licensed as a key gaming employee in accordance with 205 CMR 134.00;
  2. in a Category 2 Sports Wagering Facility, the security department internal control procedures required by 205 CMR 138.14 shall include a requirement that the facility be protected by security staff at all times, including overnight; and
  3. in a Category 2 Sports Wagering Facility, the floor plan required by 205 CMR 138.07 shall depict adequate space for law enforcement officers; for the Bureau and Sports Wagering Division; and for designated agents for the purposes of 205 CMR 133 and 233;
- (e) Access controls which include, as their primary objective, the safeguarding of the Operator's assets, including but not limited to, organizational safeguards, such as segregation of duties between incompatible functions, and physical safeguards, such as restricted access to assets and routine security devices such as cameras and locking doors. Such access controls shall be consistent with the requirements in 205 CMR 141.00 regarding surveillance of gaming establishments;
  - (f) An infrastructure and data security plan which employs technical security controls as described in 205 CMR 243.01;
  - (g) A plan to ensure compliance with 205 CMR 240.00 with respect to tax remittance and reporting;
  - (h) All applicable policies and procedures required pursuant to 205 CMR 238.04 through 238.72 and procedures and practices specified in 205 CMR 243.01;
  - (i) A certification by the Sports Wagering Operator's chief legal officer that the submitted Internal Controls conform to M.G.L. c. 23N, 205 CMR 238.00, and any applicable regulations referenced therein;
  - (j) A certification by the Sports Wagering Operator's chief financial officer that the submitted Internal Controls provide adequate and effective controls, establish a consistent overall system of internal procedures and administrative and accounting controls, and conform to generally accepted accounting principles and 205 CMR;
  - (k) A plan to ensure compliance with the Operator's House Rules, including House Rules that comply with 205 CMR 243.00;

- (l) A plan, as required by 205 CMR ~~2XX257~~, to safeguard Confidential Information and Personally Identifiable Information and to ensure compliance with the requirements of 205 CMR ~~2XX257~~.00, G.L. c. 93H, G.L. c. 93I, 201 CMR 17, and any other applicable law, regulation or order of a governmental body regarding data privacy and security; and
  - (m) ~~A plan describing~~ description of the Operator's use of computerized algorithms, automated decision-making, machine learning, artificial intelligence, or any similar system, which shall include, at a minimum a description of permissible and impermissible uses of such practices and capabilities, the purposes for which they are used and the types of input and output data and an accounting of the source of each, and a description of how the Operator may and intends to the measures the Operator utilizes to minimize the extent to which its use of any such systems promote addictive usesuch systems to minimize risky play behavior.
- (8) If the Sports Wagering Operator intends to utilize any new technology not identified in its initial Internal Controls proposal, it shall submit the changes to its system of Internal Controls to incorporate the use of any such new technology to the Commission, which shall refer the proposed change to the Executive Director who shall review the proposal in accordance with 205 CMR 238.02(4).
- (9) (a) If a Sports Wagering Operator seeks to incorporate a provision in its Internal Controls that is not permitted under 205 CMR 238.00, or to exclude a provision required by 205 CMR 238.00, it may petition the Executive Director for permission to do so by including, in its Internal Controls filing, its proposal or petition to change a provision of the Internal Controls in accordance with 238.02(5), along with a citation to the applicable provision of 205 CMR 238.00 and a written explanation as to why the exemption is appropriate. The Executive Director may allow the exemption upon a finding that the proposal is at least equivalent to the relevant provision contained in 205 CMR 238.00. If the Executive Director grants such exemption, the Executive Director shall issue a written approval of the exemption in accordance with 205 CMR 238.02(3), and shall file with the Commission a report describing the exemption, identifying the provision of 205 CMR 238.00 from which an exemption was granted and providing the general reason for granting the exemption.
- (b) In the event that a Sports Wagering Operator is temporarily unable to abide by a provision of its Internal Controls, the Bureau may, upon written request by the Sports Wagering Operator, grant a limited temporary exemption from a provision of the Sports Wagering Operator's Internal Controls, provided that: (i) such exemption shall not to exceed 48 hours; (ii) the provision relates to the operation of Sports Wagering; and (iii) the exemption is supported by good cause showing that the health, safety or welfare of the public or the integrity of Sports Wagering will not be adversely impacted by the exemption. Where the circumstances warrant,



such an exemption may be renewed by the Bureau for one additional 48 hour period. All such requests and determinations shall be documented and submitted to the Executive Director for review as promptly as possible.

- (10) The Commission and the Bureau may take any steps necessary to investigate and enforce a Sports Wagering Operator's Internal Controls for compliance with 205 CMR 238.00. The Sports Wagering Operator shall, through either independent or internal auditors, periodically compare its approved system of Internal Controls, as written, to the system actually in place and operating for the purpose of identifying areas of non-compliance, if any, so as to take immediate corrective action.
- (11) The Commission or its designee may perform any inspection necessary in order to determine conformance with the approved Internal Controls.
- (12) The Sports Wagering Operator shall maintain in its records a complete set of its system of Internal Controls in effect at that time.
- (13) The Sports Wagering Operator shall submit all filings and records required pursuant to 205 CMR 238.00 electronically to the Commission, unless otherwise directed by the Commission.
- (14) To the extent a third-party is involved in or provides any of the Internal Controls required pursuant to 205 CMR 238.00, the Sports Wagering Operator's Internal Controls shall document the roles and responsibilities of the third-party and shall include procedures to evaluate the adequacy of and monitor compliance with the third-party's system of Internal Controls.

238.03: Records Regarding Company Ownership

The Sports Wagering Operator shall maintain all records regarding the Sports Wagering Operator's ownership, as described in 205 CMR at a location determined by the Sports Wagering Operator, provided that the Commission shall be notified of such location. The Commission shall be granted prompt and unfettered access to all such records upon request.

238.04: Sports Wagering Operator's Organization

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include tables of organization, which shall include the provisions required in 205 CMR 138.04(1).
- (2) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include provisions detailing the structure, function, and area of responsibility for the following mandatory departments and supervisory positions:
  - (a) For Category 1 Sports Wagering Operators or Category 2 Sports Wagering Operators, a surveillance department as described in 205 CMR 138.04(2)(a);

- (b) An internal audit department as described in 205 CMR 138.04(2)(b);
- (c) An IT department as described in 205 CMR 138.04(2)(c);
- (d) A Sports Wagering department supervised by an executive who shall be responsible for the management of the Sports Wagering department. The Chief Sports Wagering Executive shall be responsible for the operation and conduct of all Sports Wagering;
- (e) For Category 1 Sports Wagering Operators or Category 2 Sports Wagering Operators, a security department as described in 205 CMR 138.04(2)(e);
- (f) An accounting department as described in 205 CMR 138.04(2)(f);
- (g) A compliance committee as described in 205 CMR 138.04(2)(g); and
- (h) An independent audit committee as described in 205 CMR 138.04(2)(h).

Each of the mandatory departments and supervisors shall cooperate with, yet perform its functions independently of, all other mandatory departments and supervisors.

- (3) All departments required pursuant to 205 CMR 138.04(2) and the Sports Wagering Department shall be supervised at all times by at least one individual who has been licensed in accordance with 205 CMR 235.00, or is exempt from such licensure under 205 CMR 235.01.
- (4) The chief executives of the surveillance and internal audit departments required by 205 CMR 238.04(2) shall comply with the reporting requirements of 205 CMR 138.04(4).
- (5) In the event of a vacancy in the chief executive officer position, the Chief Sports Wagering Executive, or any executive position responsible for management of one of the mandatory departments set forth in 205 CMR 238.04(2)(a) through (f), the Sports Wagering Operator shall continue to meet the requirements of 205 CMR 138.00 and 205 CMR 238.00.
- (6) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include, and a Sports Wagering Operator shall maintain on file, a current table of organization delineating the lines of authority for all personnel engaged in the operation of Sports Wagering. The table of organization shall, for each department and division, include direct and indirect lines of authority within the department or division.
- (7) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a plan for ensuring that all Sports Wagering employees employed by the Sports Wagering Operator are properly trained in their respective professions. Proper training of a Sports Wagering employee in the respective field for which the Sports Wagering employee is or

shall be employed by the Sports Wagering Operator may be established as set forth in 205 CMR 138.04(7).

238.05: System for Ensuring Employees Are Properly Licensed or Registered

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a plan for ensuring that all individuals employed by an Operator to perform duties directly related to the operation of Sports Wagering in the Commonwealth in a supervisory role are properly licensed in accordance with 205 CMR 235.00: *Sports Wagering Occupational Licensing*. The system of Internal Controls shall include, without limitation, the procedures outlined in 205 CMR 138.05(1).
- (2) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a plan for reporting to the Commission on a bi-monthly basis and in a format as directed by the Commission, the information required by 205 CMR 138.05(2) for each individual licensed in accordance with 205 CMR 235.00: *Sports Wagering Occupational Licensing*.

238.06: System for Business Dealings with Sports Wagering Vendors

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a plan for ensuring that all Persons conducting business with a Sports Wagering Operator as a Sports Wagering Vendor are properly licensed or registered in accordance with 205 CMR 234.00: *Sports Wagering Vendors*, if necessary. The system of Internal Controls shall include, without limitation, the procedures outlined in 205 CMR 138.06(1).
- (2) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a plan for providing a Disbursement Report to the Commission on a bi-monthly basis and in a format as directed by the Commission. The Disbursement Report shall reflect, for each Sports Wagering Vendor licensed or registered in accordance with 205 CMR 234.00: *Sports Wagering Vendors*, the information required by 205 CMR 138.06(2)
- (3) Each Sports Wagering Operator shall maintain a fully signed copy of every written agreement and records. With respect to every unwritten agreement to which it a Sports Wagering Operator is a party, the Sports Wagering Operator shall provide, at a minimum, the information required by 205 CMR 138.06(3).

238.07: Information Security Responsibilities

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall ensure that an Information Security Management System (ISMS) is effectively implemented and information security function responsibilities are effectively allocated.

- (1) The Sports Wagering Operator shall implement, maintain, and comply with a comprehensive ISMS, the purpose of which shall be to take reasonable steps to protect the confidentiality, integrity, and availability of ~~Personally Identifiable Information and Confidential Information~~ and Personally Identifiable Information of individuals that place a Sports Wager or have an account with the Sports Wagering Operator, including all measures required by 205 CMR ~~257~~.00, G.L. c. 93H, G.L. c. 93I, 201 CMR 17, and any other applicable law, regulation or order of a governmental body regarding data privacy and security,
- (2) The ISMS shall contain administrative, technical, and physical safeguards appropriate to the size, complexity, nature, and scope of the operations and the sensitivity of the ~~Confidential Information and~~ Personally Identifiable Information and Confidential Information owned, licensed, maintained, handled, or otherwise in the possession of the Sports Wagering Operator.
- (3) The Sports Wagering Operator shall establish an information security forum or other organizational structure to monitor and review the ISMS to ensure its continuing suitability, adequacy and effectiveness. The information security forum or other organization structure shall maintain formal minutes of meetings, and convene at least every six (6) months.
- (4) The Sports Wagering Operator shall maintain an information security department responsible for developing a security strategy in accordance with the overall operation of the Sports Wagering Operation in the Commonwealth. The information security department shall subsequently work with the other departments of the Sports Wagering Operator to implement any plans relative to the protection of ~~Confidential Information and~~ Personally Identifiable Information and Confidential Information of individuals that place a Sports Wager or have an account with the Sports Wagering Operator. The information security department shall be involved in reviewing all tasks and processes that are necessary for the Sports Wagering Operator to maintain the security of Personally Identifiable Information and Confidential Information of individuals that place a Sports Wager or have an account with the Sports Wagering Operator, including, but not limited to, the protection of information and data, communications, physical, virtual, personnel, and overall business operational security.
- (5) The information security department shall report to executive level management or higher and shall be independent of the IT department with regard to the management of security risk.
- (6) The information security department shall have access to all necessary resources to enable the adequate assessment, management, and reduction of risk.
- (7) The head of the information security department shall be a full member of the information security forum and be responsible for recommending information security policies and changes to the Sports Wagering Operator.

238.08: Accounting Records

- (1) A Sports Wagering Operator shall maintain complete, accurate, and legible records of all transactions pertaining to the revenues and costs for the Sports Wagering Operation, including those required in accordance with M.G.L. c. 23N and 205 CMR.
- (2) A Sports Wagering Operator shall maintain general accounting records on a double entry system of accounting with transactions recorded on the accrual basis. A Sports Wagering Operator shall also maintain detailed, supporting, subsidiary records sufficient to meet the requirements of M.G.L. c. 23N and 205 CMR.

238.09: Retention, Storage and Destruction Records

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a records retention schedule, and provisions related to the storage and destruction of records that, at a minimum, incorporates the provisions specified in 205 CMR 138.09(1). In addition, the Operator's records retention schedule shall include provisions by category relative to all Sports Wagering related records and records relative to Sports Wagering Vendors.
- (2) (a) A Sports Wagering Operator may petition the Commission at any time for approval of a facility to be used to generate or store records required to be retained in accordance with 205 CMR 138.09(1). Such petition shall include:
  1. A detailed description of the proposed facility, including location, security and fire safety systems; and
  2. The procedures pursuant to which Commission agents will be able to gain access to the records retained at the proposed facility.(b) A Sports Wagering Operator may store any records electronically or via other suitable medium approved by the Commission.
- (3) A Sports Wagering Operator shall, except as otherwise provided, notify the Commission and the Gaming Enforcement Division of the Massachusetts Attorney General's Office in writing at least 60 days prior to the scheduled destruction of any record required to be retained in accordance with 205 CMR 238.09(1). Such notice shall list each type of record scheduled for destruction, including a description sufficient to identify the records included, the retention period and the date of destruction.
- (4) The Commission or the Gaming Enforcement Division of the Massachusetts Attorney General's Office may prohibit the destruction of any record required to be retained in accordance with 205 CMR 238.09(1) by notifying the Sports Wagering Operator in writing within 45 days of receipt of the notice of destruction pursuant to 205 CMR 238.09(3) or within the specified retention period. Such original

record may thereafter be destroyed only with the consent of the Commission, the Bureau, and the Massachusetts Attorney General's Office.

- (5) The Sports Wagering Operator may utilize the services of a disposal company for the destruction of any records required to be retained in accordance with 205 CMR 238.09(1). Any cash complimentary coupons to be destroyed by a disposal company shall be cancelled with a void stamp, hole punch or similar device, or must contain a clearly marked expiration date which has expired.
- (6) Nothing in 205 CMR 238.00 shall be construed as relieving a Sports Wagering Operator from meeting any obligation to prepare or maintain any book, record or document required by any other federal, state or local governmental body, authority or agency or as otherwise required in its capacity as a Gaming Licensee pursuant to M.G.L. c. 23K and 205 CMR.

238.10: Jobs Compendium Submission

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a jobs compendium detailing job descriptions, chains of command, and lines of authority for all personnel engaged in the operation of Sports Wagering, which meets the provisions specified in 205 CMR 138.10: *Jobs Compendium Submission*.

238.11: Personnel Assigned to the Operation and Conduct of Sports Wagering

Each Sports Wagering Operator shall be required to employ the following personnel in the following manner in the operation of its Sports Wagering regardless of the position titles assigned to such personnel by the Operator in its approved jobs compendium:

- (1) Each Sports Wagering Operator shall at all times maintain a level of staffing that ensures the proper operation and effective supervision of all Sports Wagering.
- (2) Each Category 1 Sports Wagering Operator or Category 2 Sports Wagering Operator shall be required to employ a Sports Wagering manager. The Sports Wagering manager shall be the executive assigned the responsibility and authority for the supervision and management of Sports Wagering employees in a Sports Wagering Area or Sports Wagering Facility, including, without limitation, the hiring and termination of all Sports Wagering employees within a Sports Wagering Area or Sports Wagering Facility.
- (3) The following personnel shall be used to operate Sports Wagering in a Sports Wagering Area or Sports Wagering Facility:
  - (a) Ticket Writers shall be the Persons assigned the responsibility for the operation of a Ticket Writer Station;
  - (b) Sports Wagering supervisors shall be the first level supervisors assigned the responsibility for directly supervising the operation of Sports Wagering in a Sports Wagering Area or Sports Wagering Facility;

- (c) Sports Wagering shift managers shall be the second level supervisor with the responsibility for the overall supervision of Sports Wagering in a Sports Wagering Area or Sports Wagering Facility for each shift; and
- (d) The Sports Wagering department manager shall be the executive assigned the responsibility and authority for the supervision and management of the overall operation of the Operator's Sports Wagering Operation. In the absence of the Sports Wagering department manager, the Sports Wagering shift manager shall have the authority of the Sports Wagering department manager.

238.12: Reserve Requirement

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a plan to maintain and protect sufficient cash and other supplies to conduct Sports Wagering at all times through a reserve in the amount necessary to ensure the security of funds held in Sports Wagering Accounts and the ability to cover the outstanding Sports Wagering liability, including the amounts accepted by the Sports Wagering Operator on Sports Wagers whose outcomes have not been determined and amounts owed but unpaid on winning Sports Wagering tickets or vouchers. The reserve must be in the form of Cash, Cash Equivalents, payment processor reserves, payment processor receivables, an irrevocable letter of credit, a bond, or a combination thereof.
- (2) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall ensure funds in Sports Wagering Accounts, including pending withdrawals, are either held:
  - (a) In trust for the patron in a Segregated Account managed in accordance with 205 CMR 248.00; or
  - (b) In a special purpose Segregated Account that is maintained and controlled by a properly constituted corporate entity that is not the Sports Wagering Operator and whose governing board includes one or more corporate directors who are independent of the Sports Wagering Operator and any affiliated Gaming Licensee and of any corporation related to or controlled by either. Said corporate entity must require a unanimous vote of all corporate directors to file bankruptcy and must have articles of incorporation that prohibit the commingling of its funds with those of the Sports Wagering Operator except as necessary to reconcile the Sports Wagering Accounts. Said special purpose corporate entity must also be:
    - 1. Restricted from incurring debt other than to patrons pursuant to the rules that govern the patrons' Sports Wagering Accounts;
    - 2. Restricted from taking on obligations of the Sports Wagering Operator other than obligations to patrons pursuant to the rules that govern the patrons' Sports Wagering Accounts; and



3. Prohibited from dissolving, merging or consolidating with another company (other than a special purpose corporate entity established by another Sports Wagering Operator that meets the requirements of this section) while there are unsatisfied obligations to patrons.
- (3) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall implement procedures that are reasonably designed to:
    - (a) Ensure that the funds in the Segregated Account do not belong to the Sports Wagering Operator and are not available to creditors other than the patron whose funds are being held; and
    - (b) Prevent commingling of funds in the Segregated Account with other funds including, without limitation, funds of the Sports Wagering Operator.
  - (4) A Sports Wagering Operator must have access to all Sports Wagering Accounts and Sports Wager data to ensure the amount of its reserve is sufficient. Unless otherwise directed by the Commission, a Sports Wagering Operator must file a monthly attestation with the Commission, in the form and manner prescribed by the Commission, that funds have been safeguarded in accordance with 205 CMR 238.12.
  - (5) The Commission may audit a Sports Wagering Operator's reserve at any time and may direct a Sports Wagering Operator to take any action necessary to ensure the purposes of 205 CMR 238.12 are achieved, including but not limited to, requiring the Sports Wagering Operator to modify the form of its reserve or increase the amount of its reserve.

238.13: Complimentary Services or Items and Promotional Gaming Credits

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include a detailed complimentary distribution program consistent with 205 CMR 138.13: *Complimentary Services or Items and Promotional Gaming Credits*, and a description of its proposed use and distribution of promotional gaming credits, provided that Sports Wagering Operators shall not be required to provide the monthly invoices required by 205 CMR 138.13(4).

238.14: Risk Management Framework

- (1) A Sports Wagering Operator must implement risk management procedures. These procedures may be provided in-house by a unit capable of performing this function with appropriate segregation of functions and reporting duties, or by a licensed Sports Wagering Vendor.
- (2) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall contain a description of the risk management framework, including but not limited to:



- (a) Automated and manual risk management procedures;
  - (b) Employee management, including access controls and segregation of duties;
  - (c) Information regarding identifying and reporting fraud and suspicious conduct;
  - (d) Controls ensuring regulatory compliance;
  - (e) Description of Anti-Money Laundering (AML) compliance standards;
  - (f) Description of all software applications that comprise the Sports Wagering Equipment;
  - (g) Description of all types of Sports Wagers available to be offered by the Sports Wagering Operator;
  - (h) Description of the method to prevent past-post Wagers from being placed;
  - (i) Description of all integrated third-party platforms; and
  - (j) Any other information which may be required by the Commission.
- (3) A Sports Wagering Operator shall file with the Commission, in a manner and form approved by the Commission, a report of any error that occurs in offering an event or Wager or if an unapproved Sporting Event or Wager category is offered to the public.

238.15: Taxation Requirements

- (1) The Sports Wagering Operator shall comply with all applicable tax laws and regulations including, without limitation, laws and regulations applicable to tax withholding, and providing information about payouts and withholdings to taxing authorities and to patrons. A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall ensure compliance with all Internal Revenue Service (IRS) requirements. The Sports Wagering Operator shall make tax withholdings and provide tax and revenue reporting as required by the IRS and Department of Revenue.
- (2) The Sports Wagering Operator shall disclose potential tax liabilities to patrons at the time of award of any payout in excess of limits set by the IRS, whether such payouts are made at a Gaming Establishment, Sports Wagering Facility or via a Sports Wagering Platform. Such disclosures shall include a statement that the obligation to pay applicable taxes on payouts is the responsibility of the patron and that failure to pay applicable tax liabilities may result in civil penalties or criminal liability. Upon written request, the Sports Wagering Operator shall provide patrons with summarized tax information on the patrons' Sports Wagering activities.

238.16: Bank Secrecy Act Compliance

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall ensure compliance with all provisions of The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, applicable to the operation of Sports Wagering.
- (2) A Sports Wagering Operator shall, with regard to its Sports Wagering Operation, maintain records related to its compliance with The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, including all currency transaction reports, suspicious activity reports, and any supporting documentation, for a minimum of five (5) years. The Sports Wagering Operator shall provide such records to the Commission and any appropriate law enforcement agencies upon request consistent with the authorization prescribed in The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, and applicable regulations.
- (3) A Sports Wagering Operator shall provide written notice to the Commission as soon as the Sports Wagering Operator becomes aware of a compliance review that is conducted by the Internal Revenue Service under The Bank Secrecy Act of 1970, 31 USC §§ 5311 to 5332, and involves or impacts the Sports Wagering Operator's Sports Wagering Operation. The Sports Wagering Operator shall provide a copy of the compliance review report or the equivalent to the Commission within ten (10) days of receipt of the report by the Sports Wagering Operator.

238.17: Anti-Money Laundering (AML) Monitoring

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall implement AML procedures and policies that adequately address the risks posed by Sports Wagering for the potential of money laundering and terrorist financing. At a minimum, the AML procedures and policies shall provide for:

- (1) Controls to assure ongoing compliance with the local AML regulations and standards observed by the Commission pursuant to M.G.L. c. 23K and 23N and 205 CMR;
- (2) Up to date training of employees in the identification of unusual or suspicious transactions;
- (3) Assigning an individual or individuals to be responsible for all areas of AML by the Sports Wagering Operator, including reporting unusual or suspicious transactions;
- (4) Use of any automated data processing systems to aid in assuring compliance; and
- (5) Periodic independent tests for compliance with a scope and frequency as required by the Commission. Logs of all tests shall be maintained and available for Commission inspection upon request.

238.18: Integrity Monitoring/Suspicious Behavior

- (1) A Sports Wagering Operator shall implement integrity monitoring procedures. These procedures may be provided in-house by a unit capable of performing this function with appropriate segregation of functions and reporting duties, or by a licensed Sports Wagering Vendor.
- (2) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include provisions for a Sports Wagering Operator to, within a reasonable timeframe approved by the Commission, report the following to the Commission:
  - (a) Any facts or circumstances related to the operation of a Sports Wagering Operator that constitute a violation of state or federal law and also promptly report to the appropriate state or federal authorities any suspicious betting over a threshold set by the Sports Wagering Operator, as approved by the Commission;
  - (b) Any information regarding irregularities in volume or changes in odds that could signal suspicious activities which were identified in accordance with M.G.L. c. 23N, § 12(a)(i);
  - (c) Any information relating to criminal or disciplinary proceedings commenced against the Sports Wagering Operator in connection with its operations;
  - (d) Any information relating to the following, which shall also be reported to the relevant Sports Governing Body:
    1. Abnormal betting activity or patterns that may indicate a concern with the integrity of a Sporting Event;
    2. Any potential breach of the internal rules and codes of conduct pertaining to Sports Wagering of a relevant Sports Governing Body;
    3. Any other conduct that corrupts a betting outcome of a Sporting Event for purposes of financial gain, including, but not limited to, match-fixing;
    4. Suspicious or illegal Wagering activities, including, but not limited to, use of funds derived from illegal activity, Wagers to conceal or launder funds derived from illegal activity, use of agents to place Wagers, and use of a false identification;
    5. Complaints of an athlete engaging in prohibited wagering conduct.
- (3) A Sports Wagering Operator shall maintain the confidentiality of information provided by a Sports Governing Body, and a Sports Governing Body shall

maintain the confidentiality of information provided by a Sports Wagering Operator for purposes of investigating or preventing the conduct described in 205 CMR 238.18(2)(e), unless:

- (a) disclosure is required by M.G.L. c. 23N, the Commission, other law or court order;
  - (b) disclosure is required by agreement with an applicable players' associations or collective bargaining unit;
  - (c) the Sports Governing Body or Sports Wagering Operator consents to disclosure;
  - (d) disclosure is necessary for the Sports Governing Body to conduct and resolve integrity-related investigations; or
  - (e) the Sports Governing Body deems in its reasonable judgment that disclosure is necessary to maintain the actual or perceived integrity of its sporting events.
- (4) A Sports Wagering Operator receiving a report of suspicious betting activity may suspend Wagering on Sporting Events or Wager categories identified in the report, and may place a hold on suspicious Wagers while investigating such suspicious Wagers, but may only cancel or void Sports Wagers related to the report after receiving approval from the Commission.
- (5) Upon request by the Commission or its designee, a Sports Wagering Operator shall provide remote, read-only access and the necessary software and hardware for the Commission to evaluate or monitor, at a minimum, the Sports Wagering Platform and the following:
- (a) All reports of abnormal betting activity;
  - (b) If the abnormal betting activity was subsequently determined to be suspicious or illegal Wagering;
  - (c) All reports deemed suspicious or illegal Wagering activity; and
  - (d) The actions taken by the Sports Wagering Operator according to its integrity monitoring procedures.
- (6) A Sports Wagering Operator shall use commercially reasonable efforts to cooperate with investigations conducted by Sports Governing Bodies or law enforcement agencies, including, but not limited to, using commercially reasonable efforts to provide or facilitate the provision of anonymized betting information and audio or video files relating to Persons placing Wagers pursuant to M.G.L. c. 23N, § 11(h) and (i). All disclosures pursuant to 205 CMR 238.18(5) are subject to the Sports Wagering Operator's obligation to comply with all federal, state and local laws and

regulations, including, but not limited to, laws and regulations relating to privacy and Confidential Information or Personally Identifiable Information

- (7) If required pursuant to M.G.L. c. 23N, § 11(i) or (j), a Sports Wagering Operator shall share with the Commission or the Sports Governing Body or its designee, in a frequency, form and manner to be approved by the Commission, the anonymized betting information required in M.G.L. c. 23N, § 11(i) with respect to Sports Wagers on Sporting Events of the Sports Governing Body. Nothing in this section shall require a Sports Wagering Operator to provide any information that is prohibited by federal, state or local law or regulation, including, but not limited to, laws and regulations relating to privacy, Confidential Information or Personally Identifiable Information.
- (8) A Sports Wagering Operator shall maintain records of all integrity monitoring services and activities, including all reports of abnormal or suspicious betting activity and any supporting documentation, for a minimum of five (5) years.
- (9) The Commission may require a Sports Wagering Operator to provide to the Commission, or to an independent testing laboratory approved by the Commission, any hardware or software necessary for the evaluation of its Sports Wagering offering or to conduct further monitoring of Sports Wagering data.

238.19: Responsible Gaming and Problem Gaming Plan

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall contain a Responsible Gaming and Problem Gaming Plan as set forth in 205 CMR 233.06(6).
- (2) At least once every three (3) years, each Responsible Gaming and Problem Gaming Plan shall be subject to an independent audit, as assessed by industry standards and performed by a third-party auditor approved by the Commission, which review shall be paid for by the Sports Wagering Operator.

238.20: Protection of Minors and Underage Youth

The system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include the internal policies and procedures as required in 205 CMR 250.00: *Protection of Minors and Underage Youth*.

238.21: Patron Protection Information

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall provide for the prominent display of patron protection information outlined in 205 CMR 243.01: *Standards for Sports Wagering Equipment*, including the telephone number and website for a problem gambling hotline overseen by the department of public health approved by the Commission pursuant to M.G.L. c. 23N, § 4(d)(3).

- (2) The Sports Wagering Operator's mobile application and digital platform shall prominently display the patron protection information upon each entry into the application or platform.
- (3) The Gaming Establishment or Sports Wagering Facility shall prominently display the patron protection information in locations approved by the Commission.

238.22: Complaints Pertaining to Sports Wagering

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures for receiving, investigating, responding to and reporting on complaints by patrons.

- (1) When a patron makes a complaint, the Sports Wagering Operator shall immediately issue a complaint report, setting out:
  - (a) The name of the complainant;
  - (b) The nature of the complaint;
  - (c) The name of the Persons, if any against whom the complaint was made;
  - (d) The date of the complaint;
  - (e) The action taken or proposed to be taken, if any, by the Sports Wagering Operator; and
  - (f) A numerical identifier to differentiate the Operator and date of complaint.
- (2) All complaints received by a Sports Wagering Operator from a patron, and the Sports Wagering Operator's responses to complaints, shall be retained for at least five (5) years and made immediately available to the Commission upon its request.
- (3) A Sports Wagering Operator shall investigate and attempt to resolve all complaints made by a patron.
- (4) A Sports Wagering Operator shall respond to such complaints in writing within ten (10) business days. If the relief requested in the complaint will not be granted, the response to the complaint shall state the reasons with specificity.
- (5) If the response to a complaint is that more information is needed, the form and nature of the necessary information shall be specifically stated. When additional information is received, further response shall be required within seven (7) business days.
- (6) In its response, the Sports Wagering Operator shall advise the patron of the patron's right to submit the complaint to the Commission in the form and manner prescribed by the Commission.

- (7) Unless otherwise directed by the Commission, the Sports Wagering Operator shall promptly notify the Commission of any complaints related to Sports Wagering Accounts, settlement of Sports Wagers, or illegal activity related to Sports Wagering which cannot be resolved to the satisfaction of the patron, and the Sports Wagering Operator's response. Such notification shall include the numerical identifier associated with the complaint and the date of the complaint.
- (8) Upon receipt of a complaint from a patron or notification of an unresolved complaint from a Sports Wagering Operator, the Commission may conduct an investigation and direct a Sports Wagering Operator to take any corrective action the Commission considers appropriate.

238.23: Sports Wagering Counter

The system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include policies and procedures relative to the Sports Wagering Counter.

- (1) Each Sports Wagering Counter shall:
  - (a) Be designed and constructed to provide adequate security for the materials stored and the activities performed therein. Such design and construction shall be approved by the Commission;
  - (b) Include manually triggered silent alarm systems, which shall be connected directly to the monitoring rooms of the surveillance and the security departments;
  - (c) Include one or more Ticket Writer Stations, each of which shall contain:
    1. A Ticket Writer's drawer and interface through which financial transactions related to Sports Wagering will be conducted;
    2. A permanently affixed number, which shall be visible to the closed circuit television system;
    3. Manually triggered silent alarm systems, which shall be connected directly to the monitoring rooms of the surveillance and the security departments; and
    4. Full enclosures, unless funds in excess of \$30,000 are either secured in a drop safe approved by the Commission or transferred to the vault or cage.
  - (d) Include closed circuit television cameras capable of accurate visual monitoring and recording of any activities, including the capturing of the patron's facial image when conducting transactions at the counter;
  - (e) Have an alarm for each emergency exit door that is not a mantrap; and

- (f) Include a secure location, such as a vault, for the purpose of storing funds issued by a cage to be used in the operation of Sports Wagering. The vault shall:
  - 1. Be a fully enclosed room, located in an area not accessible to the public;
  - 2. Have a metal door with a locking mechanism that shall be maintained and controlled by the Sports Wagering manager;
  - 3. Have an alarm device that signals the surveillance department whenever the door to the vault is opened; and
  - 4. Have closed circuit television cameras capable of accurate visual monitoring and recording of all activities in the vault.
- (2) A Sports Wagering Counter shall have an operating balance not to exceed an amount described in the system of internal controls submitted by a Sports Wagering Operator in accordance with 205 CMR 138.02. Funds in excess of the operating balance shall be transferred to the cage in a secured container by an employee of the counter accompanied by a security officer. Prior to transporting the funds, the security department shall notify the surveillance department that the transfer will take place. The surveillance department shall monitor the transfer. The funds shall be transferred with appropriate documentation.

238.24: Gaming Day

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall incorporate a “gaming day” for accounting purposes.

238.25: Accounting Controls within the Sports Wagering Counter

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall detail the accounting controls for the Sports Wagering Counter, which shall include the following:

- (1) The assets for which each Ticket Writer is responsible shall be maintained on an imprest basis. A Ticket Writer shall not permit any other person to access the Ticket Writer’s imprest inventory.
- (2) A Ticket Writer shall begin a shift with an imprest amount of currency and coin to be known as the “wagering inventory.” No funds shall be added to or removed from the Wagering inventory during such shift except:
  - (a) In collection of Sports Wagers;
  - (b) In order to make change for a patron placing a Sports Wager;



- (c) In collection for the issuance of Sports Wagering vouchers;
  - (d) In payment of winning or properly cancelled or refunded Wagers;
  - (e) In payment of Sports Wagering vouchers;
  - (f) To process deposits or withdrawals to or from a patron's Sports Wagering Account; or
  - (g) In exchanges with the cashier's cage, a satellite cage, or vault supported by proper documentation which documentation shall be sufficient for accounting reconciliation purposes.
- (3) A "Wagering Inventory Slip" shall be completed and signed by the Wagering shift manager, and the following information, at a minimum, shall be recorded thereon at the commencement of a shift:
- (a) The date, time, and shift of preparation;
  - (b) The denomination of currency and coin in the Wagering inventory issued to the Ticket Writer;
  - (c) The total amount of each denomination of currency and coin in the Wagering inventory issued to the Ticket Writer;
  - (d) The Ticket Writer station to which the Ticket Writer is assigned; and
  - (e) The signature of the Wagering shift manager.
- (4) A Ticket Writer assigned to a Ticket Writer station shall count and verify the Wagering inventory at the vault or other approved location and shall agree the count to the Wagering Inventory Slip. The Ticket Writer shall sign the count sheet attesting to the accuracy of the information recorded thereon. The Wagering inventory shall be placed in a Ticket Writer's drawer and transported directly to the appropriate Ticket Writer station by the Ticket Writer.
- (5) Whenever funds are transferred from the vault to a Ticket Writer, the Wagering shift manager responsible for the vault shall prepare a two-part Writer Transfer-Out form. Upon completion of the form, the original shall be retained by the vault manager and the duplicate shall be retained by the Ticket Writer. The form shall include, at a minimum, the:
- (a) Date and time of the transfer;
  - (b) Designation of the vault location;
  - (c) Ticket Writer Station to where the funds are being transferred to;
  - (d) Amount of each denomination being transferred;

- (e) Total amount of the transfer;
  - (f) Signature of the preparer of the transfer;
  - (g) Signature of the manager verifying and issuing the funds; and
  - (h) Signature of the Ticket Writer verifying and receiving the funds.
- (6) Whenever funds are transferred from the Ticket Writer to a vault, a two-part Writer Transfer-In form shall be prepared. Upon completion of the form, the original shall be retained by the Ticket Writer and the duplicate shall be immediately returned with the funds to the vault. The form shall include, at a minimum, the:
- (a) Date and time of the transfer;
  - (b) Designation of the vault location where the funds are being transferred to;
  - (c) Ticket Writer station to where the funds are being transferred from;
  - (d) Amount of each denomination being transferred;
  - (e) Total amount of the transfer;
  - (f) Signature of the Ticket Writer verifying and sending the funds to the vault; and
  - (g) Signature of the manager verifying and receiving the funds.
- (7) At the conclusion of a Ticket Writer's shift, the Ticket Writer's drawer and its contents shall be transported directly to the vault or to a location approved by the Commission in the Sports Wagering Counter, where the Ticket Writer shall count the contents of the drawer and record the following information, at a minimum, on the Wagering Inventory Slip:
- (a) The date, time, and shift of preparation;
  - (b) The denomination of currency, coin, gaming chips, where applicable, and coupons in the drawer;
  - (c) The total amount of each denomination of currency, coin, gaming chips, and coupons in the drawer;
  - (d) The total of the Writer Transfer-Out forms;
  - (e) The total of the Writer Transfer-In forms;
  - (f) The total amount in the drawer; and
  - (g) The signature of the Ticket Writer.

- (8) The Wagering shift manager shall compare the Ticket Writer closing balance to the Wagering Inventory Slip total, record any over or short amount, and sign the Wagering Inventory Slip.
- (9) If the Wagering Inventory Slip lists an overage or shortage, the Ticket Writer and the Wagering shift manager shall attempt to determine the cause of the discrepancy in the count. If the discrepancy cannot be resolved, such discrepancy shall be reported to the surveillance department and the Wagering manager or department supervisor in charge at such time. Any discrepancy in excess of \$500.00 shall be reported to the Commission. Such report shall include the following:
  - (a) Date on which the discrepancy occurred;
  - (b) Shift during which the discrepancy occurred;
  - (c) Name of the Ticket Writer;
  - (d) Name of the Wagering shift manager;
  - (e) Ticket Writer Station number; and
  - (f) Amount of the discrepancy.
- (10) Whenever funds are transferred from the vault to the cashier's cage, the Wagering shift manager responsible for the vault shall prepare a two-part Vault Transfer-Out form. Upon completion of the form, the original shall be retained by the vault manager and the duplicate shall be transferred with the funds to the cashier's cage. The form shall include, at a minimum, the:
  - (a) Date and time of the transfer;
  - (b) Designation of the vault location;
  - (c) Designation of the cage location;
  - (d) Amount of each denomination being transferred;
  - (e) Total amount of the transfer;
  - (f) Signature of the preparer of the transfer;
  - (g) Signature of the vault manager verifying and issuing the funds; and
  - (h) Signature of the cage cashier verifying and receiving the funds.
- (11) Whenever funds are transferred from the cashier's cage to a vault, a two-part Vault Transfer-In form shall be prepared. Upon completion of the form, the original shall be retained by the cage cashier and the duplicate shall be transferred with the funds to the vault. The form shall include, at a minimum, the:

- (a) Date and time of the transfer;
- (b) Designation of the vault location where the funds are being transferred to;
- (c) Cashier location where the funds are being transferred from;
- (d) Amount of each denomination being transferred;
- (e) Total amount of the transfer;
- (f) Signature of the cage cashier verifying and sending the funds to the vault;  
and
- (g) Signature of the vault manager verifying and receiving the funds.

238.26: Procedures for Acceptance of Tips or Gratuities from Patrons

- (1) An employee of a Sports Wagering Operator, other than an Occupational Licensee, may accept a Sports Wagering ticket as a tip Wager so long as the employee did not solicit the Sports Wagering ticket, did not participate in the selection of the Wager and the Sports Wagering ticket is placed into a tip pool.
- (2) A tip or gratuity may be provided electronically to a dealer or employee of a Sports Wagering Operator upon initiation and authorization by a patron. A Sports Wagering Operator shall include in its Internal Controls the method utilized for the distribution of electronic tips or gratuities and ensure that a report listing all electronic tips shall be available from the system where the transaction occurred.
- (3) An Occupational Licensee may not accept a tip or gratuity from a patron of the Sports Wagering Operator.

238.27: Prohibition of Credit Extension

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include controls relating to the prohibition of a Sports Wager, issuance of cash, or deposit of funds into a Sports Wagering Account that is derived from the extension of credit by affiliates or agents of the Sports Wagering Operator pursuant to M.G.L. c. 23N, § 4(d)(2)(viii). For purposes of 205 CMR 238.27, credit shall not be deemed to have been extended where, although funds have been deposited into a Sports Wagering Account, the Sports Wagering Operator is awaiting actual receipt of such funds in the ordinary course of business.

- (1) Credit providers such as small amount credit contracts (payday lending) shall not be advertised or marketed to patrons.
- (2) A patron shall not be referred to a credit provider to finance their Sports Wagering activity.

- (3) Confidential Information and Personally Identifiable Information related to a patron shall not be provided to any credit provider.

238.28: Events, Odds and Result Management

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures regarding the selection of the events and for setting and updating the odds, wagering margins or blocking events, as well as for receiving the results from reliable sources. Procedures shall exist for validating accuracy and preventing fraudulent activities. Such procedures shall be based on the respect of integrity, responsible gaming, and ensuring transparency.

238.29: Monitoring the Sports Wagering Activities

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures for monitoring all changes to odds or blocking throughout a Sporting Event, monitoring of the Wager category, events and patron transactions for the detection of irregularities, monitoring of winners over a certain amount of gains, and deposits over a certain size. Such procedures shall also specify thresholds of payment and methods of collection.

238.30: Acceptance of Sports Wagers

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures relative to the Sporting Events and their Wager categories offered for Sports Wagering pursuant to 205 CMR 247.00: *Uniform Standards of Sports Wagering*. Such procedures shall include the following:

- (1) The adoption, maintenance and updating of House Rules;
- (2) Processes for submitting or receiving approval for Sporting Events and Wager categories;
- (3) Descriptions of the processes for accepting Wagers and issuing payouts, plus any additional controls for accepting Wagers and issuing payouts in excess of \$10,000;
- (4) Descriptions of the processes for accepting multiple Wagers from one patron in a 24-hour cycle, including the process to identify structuring of Wagers to circumvent recording and reporting requirements;
- (5) Identification of all data sources used in a Sports Wager determination;
- (6) Description of the processes for line setting and line moving;
- (7) Procedures to review the completeness, accuracy, reliability, timeliness, and availability of any data feeds used to offer or settle Sports Wagers;

- (8) Processes for submitting or receiving approval for Sports Wagering tournaments, contests, or pools;
- (9) Procedures for issuance and acceptance of promotional gaming credits for Sports Wagering; and
- (10) Procedures to identify a Wager or an attempt to Wager above any maximum Wager threshold set by the Sports Wagering Operator that qualifies as unusual or suspicious Wagering.

238.31: In-Game or In-Play Wagering

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures to assure and monitor the integrity of the in-game or in-play Wagering offering, the results handling and patron protection. Indicative areas for consideration in the procedure for results handling shall include, but not be limited to, time delays, sources of results, and reversal of results. The procedures shall also account for courtsiding prevention mechanisms including a delay in live pictures.

238.32: Restricted Patrons

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall meet the requirements of 205 CMR 243.01(1)(t) and include the following in accordance with M.G.L. c. 23N, § 11(a):

- (1) No Sports Wagering Operator, directors, officers, owners, employees, subcontractors, or Qualifiers of the Sports Wagering Operator, as well as those within the same household as any such Person, may place Sports Wagers with the Sports Wagering Operator, or with any other Sports Wagering Operator tethered to the Operator, on any event, except in private pools where the player's association with the Sports Wagering Operator is clearly disclosed. Nor may such individual place Sports Wagers through another person as a proxy or agent. However, Sports Wagering Operator employees may use clearly marked test accounts for testing purposes such as evaluating a Sports Wagering Platform. Sports Wagering Operators shall make these restrictions known to all affected individuals and corporate entities.
- (2) No individual with proprietary or non-public information held by the Sports Wagering Operator may place Sports Wagers with the Sports Wagering Operator, or with any other Sports Wagering Operator tethered to the Operator. Nor may such individual place Sports Wagers through another person as a proxy or agent. Sports Wagering Operators shall make these restrictions known to all affected individuals and corporate entities.
- (3) No Sports Wagering Operator shall allow a professional or athlete, coach, referee, team owner, employee of a Sports Governing Body or its member teams and patron and referee union personnel, place Sports Wagers on events in the sport in which the individual participates, or in which the athlete the individual represents

participates. Nor may such athlete, sports agent, team official, team representative, referee or league official place Wagers through another person as a proxy or agent. A Sports Wagering Operator may not be held liable for a violation of 205 CMR 238.32(3) if:

- (a) The Sports Wagering Operator makes commercially reasonable efforts to obtain lists of such Persons for the purpose of implementing 205 CMR 238.32, such as by monitoring for and restricting accounts of such Persons;
  - (b) The Sports Wagering Operator makes these restrictions known to all affected individuals and corporate entities;
  - (c) The Sports Governing Body in which the athlete, sports agent, team official, team representative, referee or league official participates, maintains and enforces a policy that excludes such individuals from placing Wagers in that sport;
  - (d) The Commission has previously used the list of barred employees from the Sports Wagering Operator in accordance with M.G.L. c. 23N, § 11(a)(ii), and worked directly with a member team to determine the risk posed by certain employees for obtaining nonpublic ~~confidential~~ information on a Sporting Event and removed an employee without knowledge of team strategy or game operations from such a list after the Commission determined any such risk is de minimis; and
  - (e) The Sports Wagering Operator, upon learning of a violation of 205 CMR 238.48(3), informs the Commission, immediately bars the individual committing the violation from Sports Wagering by suspending such individual's Sports Wagering Account and banning such individual from further Sports Wagering, terminates any existing promotional agreements with such individual and refuses to make any new promotional agreements that compensate such individual.
- (4) The Sports Wagering Operator shall prevent persons from placing Sports Wagers as agents or proxies for others.

238.33: Prohibited Persons

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include commercially reasonable methods to prevent a prohibited person from placing a Sports Wager.

- (1) For the purposes of 205 CMR 238.33, a prohibited person refers to:
  - (a) Any individual prohibited from Sports Wagering pursuant to 205 CMR 152.00;

- (b) Any individual prohibited from Sports Wagering pursuant to 205 CMR 250.00;
  - (c) Any individual who is self-excluded from Sports Wagering pursuant to 205 CMR 233.00;
  - (d) Any individual who is prohibited from or subject to limitations regarding Sports Wagering pursuant to 205 CMR 254.00 and 255.00;
  - (e) Any individual Wagering while not in the authorized geographic boundaries within the Commonwealth;
  - (f) Any individual placing Sports Wagers as agents or proxies for others;
  - (g) Any restricted patron Wagering in violation of their restrictions established in 205 CMR 238.32;
  - (h) Any individual Wagering in violation of state, local or federal law; or
  - (i) Other prohibited Persons as determined by the Commission.
- (2) If a Sports Wagering Operator detects, or is notified of, an individual suspected of being a prohibited Person who has engaged or is engaging in prohibited Sports Wagering, the Sports Wagering Operator, shall use reasonable measures to verify whether the individual is prohibited or not.
  - (3) If the Sports Wagering Operator establishes, by reasonable measures, that the individual is prohibited, the Sports Wagering Operator shall cancel the individual's Sports Wager and confiscate any resulting funds.
  - (4) If the Sports Wagering Operator is unable to establish, by reasonable measures, that the individual is prohibited, then the individual is presumed to not be a prohibited Person for the purposes of 205 CMR 238.33.

238.34: Layoff Wagers

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures for a Sports Wagering Operator to accept layoff Wagers placed by other Sports Wagering Operators and place layoff Wagers with other Sports Wagering Operators for the purpose of offsetting patron Sports Wagers.

- (1) The Sports Wagering Operator placing a layoff Wager shall inform the Sports Wagering Operator accepting the Wager that the Wager is being placed by a Sports Wagering Operator and shall disclose the Operator's identity pursuant to M.G.L. c. 23N, § 13(c).
- (2) The Sports Wagering Operator may decline to accept a layoff Wager in its sole discretion.



- (3) Layoff wagers shall be reported to the Commission.

238.35: Cancelled or Voided Wagers

For any transaction where a Sports Wagering Operator may cancel or void a Wager, with or without prior authorization of the Commission, the Sports Wagering Operator shall submit a system of Internal Controls in accordance with 205 CMR 238.02 for voiding Wagers and subsequent allocation of patron funds. Such system shall include, at a minimum, the following:

- (1) Cancellation of an otherwise validly placed Wager by a Sports Wagering Operator shall be nondiscretionary. A Sports Wagering Operator shall cancel or void a Wager without prior authorization of the Commission under the following circumstances:
  - (a) Any Wager where after a patron has placed a Sports Wager, the Sporting Event is cancelled, postponed or rescheduled to a different date prior to completion of the Sporting Event;
    1. In the case of a Wager on a portion of a Sporting Event, that Wager shall be valid when the event is canceled, postponed, or rescheduled if the outcome of the affected portion was determined prior to the cancellation, postponement or rescheduling; or
    2. A Sports Wagering Operator may establish a timeframe in which an event may be rescheduled or postponed without canceling the wager. This timeframe shall be tied to specific Sporting Events, subject to the approval of the Commission, and documented in the system of Internal Controls.
  - (b) A change in the venue where a Sporting Event was scheduled to be held occurs after a patron has placed a Sports Wager;
  - (c) Any tier 1 Sports Wager in a non-team event when an individual athlete or competitor fails to participate in a Sporting Event and the outcome of the Wager is solely based upon the individual athlete or competitor's performance;
  - (d) Any tier 2 Sports Wager when an individual athlete or competitor fails to participate in a Sporting Event and the outcome of the wager is solely based upon that individual athlete or competitor's performance;
  - (e) Any Sports Wager received for an act, or set of acts, to be performed during a Sporting Event when such act or acts does not occur and the ability to Wager on the non-occurrence of the event was not offered. For example, a Sports Wager on punt return yardage in an American football game where no punts occur and zero was not an available Wager;

- (f) Any Wager received on whether a team will qualify to participate in post-season competitions when the number of teams allowed to participate in the post-season changes after a patron has placed a Wager;
  - (g) Changes to rules by a Sports Governing Body regarding the format or number of athletes or competitors scheduled to participate in a defined phase of a sporting event or that particular phase is not played at all;
  - (h) A material change in circumstances for a given Sporting Event or Wager category occurs, provided:
    - 1. The Commission approves the material change;
    - 2. The Sports Wagering Operator documents the material change in its system of Internal Controls; and
    - 3. The Sports Wagering Operator displays the material change to a patron at the time of placement of the Sports Wager.
  - (i) When a patron requests a Sports Wager be cancelled or voided prior to the commencement of the Sporting Event due to:
    - 1. An error in communicating the type, amount or parameters of the Wager; or
    - 2. An error of a Ticket Writer entering such transaction in the Sports Wagering Equipment, in such case the ticket writer must call a supervisor to cancel or void the Wager; or
  - (j) When authorized or ordered by the Commission.
- (2) For all circumstances that are not set forth in 205 CMR 238.35(1), a Sports Wagering Operator may request the Commission authorize the cancellation or voiding of all Wagers of a specific type, kind, or subject. A Sports Wagering Operator shall submit its request to cancel or void the Wager in writing, and such request shall contain the following:
- (a) A description of the type, kind, or subject of Wager the Sports Wagering Operator is requesting to cancel or void;
  - (b) A description of any facts relevant to the request; and
  - (c) An explanation why cancelling or voiding the Wager is in the best interests of the Commonwealth or ensures the integrity of the Sports Wagering industry.
- (3) The Sports Wagering Operator shall provide any additional information requested by the Commission to review and approve the request.

- (4) The Commission shall issue a written order granting or denying the request to cancel or void the Wager. In determining whether to grant or deny the request, the Commission shall consider any relevant factors, including:
  - (a) Whether the alleged facts implicate the integrity of the Sporting Event subject to the Wager or the Sports Wagering industry;
  - (b) Whether the alleged facts implicate possible illegal activity relating to the Sporting Event or the Sports Wagering industry;
  - (c) Whether allowing the Wager would be unfair to patrons; or
  - (d) Whether allowing the Wager is contrary to public policy.
- (5) No Wager subject to the request to cancel or void shall be redeemed, cancelled, or voided, until the Commission or its designee issues an order granting or denying the request to cancel.
- (6) If the Commission or its designee grants the request to cancel or void, the Sports Wagering Operator shall make commercially reasonable efforts to notify patrons of the cancellation or voiding of the Wager.
- (7) The Commission or its designee has discretion to order all Sports Wagering Operators to cancel or void all Wagers on a specific Sporting Event or Wagers of a specific type or kind on a specific Sporting Event. In exercising its discretion, the Commission shall apply the same factors described in 205 CMR 238.35(1).
- (8) A patron may request the Commission or its designee review any Wager declared cancelled or voided by a Sports Wagering Operator. If the Commission or its designee concludes there is no reasonable basis to believe there was obvious error in the placement or acceptance of the Wager, the Commission or its designee may order the Sports Wagering Operator to honor the Wager.
- (9) If a Wager is declared canceled or voided, the Wager shall be refunded to the patron and that amount shall be deducted from the Adjusted Gross Sports Wagering Receipts. For cancelled or voided Wagers not tied to a Sports Wagering Account, the following shall apply:
  - (a) Any cancelled or voided Wager shall be refunded upon request by a patron prior to the expiration of the original redemption period and shall be deducted from Adjusted Gross Sports Wagering Receipts; and
  - (b) At the expiration of any outstanding cancelled or voided Wager which has not been refunded, the original amount of the outstanding Wager shall be deducted from Adjusted Gross Sports Wagering Receipts and remitted to the Sports Wagering Fund.

- (10) All voided or cancelled Wagers and all refunds of any voided or cancelled Wager pursuant to 205 CMR 238.35 shall be logged at the time they occur and such log must be made available to the Commission upon request.

238.36: Accounting Controls for Sports Wagering Kiosks

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include provisions governing a Sports Wagering Kiosk for the acceptance of Sports Wagers and redemption of winning Sports Wagering tickets and vouchers that comports with 205 CMR 243.00: *Sports Wagering Equipment*.
- (2) The Sports Wagering Operator shall ensure Sports Wagering Kiosks are configured to prohibit the following:
  - (a) Issue or redeem a Sports Wagering Voucher or payout with a value in excess of \$10,000;
  - (b) Issue or redeem a Sports Wagering Voucher or payout in excess of limits set by the IRS.

238.37: Sports Wagering Equipment

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures relative to Sports Wagering Equipment that include, at a minimum, provisions to ensure that all Sports Wagering Equipment comport with 205 CMR 243.00: *Sports Wagering Equipment*. Such procedures shall include the following:

- (1) The location of the servers used for Sports Wagering, including any third-party remote location servers, and what controls will be in place to ensure security of the servers; and
- (2) The procedures and security standards as to receipt, handling, and storage of Sports Wagering Equipment, including within a Sports Wagering Area, Sports Wagering Facility, or Gaming Establishment.

238.38: Change Management

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include change management processes which detail evaluation procedures for identifying the criticality of updates to Sports Wagering Equipment and determining the updates that must be submitted to the approved independent testing laboratory for review and certification. The processes shall be subject to the provisions of 244.03: *Change Management and Integration Requirements*.

238.39: Sports Wagering Accounts

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include procedures relative to Sports Wagering Accounts that include, at a minimum, provisions to ensure that all Sports Wagering Accounts comport with 205 CMR 248.00: *Sports Wagering Account Management*.

238.40: Test Accounts

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include the procedures for establishing test accounts to be used by the Operator and the Commission to test the various components and operation of Sports Wagering Equipment. Such procedures shall include, at a minimum:

- (1) The procedures for issuing funds used for testing, including the identification of who may issue the funds and the maximum amount of funds that may be issued;
- (2) The procedures for assigning each test account for use by only one individual. However, a Sports Wagering Operator may establish a specific scenario or instance of a test account that may be shared by multiple users if each user's activities are separately logged;
- (3) The maintenance of a record for all test accounts, to include when they are active, to whom they are issued, and the employer of the individual to whom they are issued;
- (4) The procedures for auditing testing activity by the Sports Wagering Operator to ensure the accountability of funds used for testing and proper adjustments to gross Sports Wagering receipts; and
- (5) The procedures for authorizing and auditing out-of-state test activity.

238.41: Sports Wagering Accounting Requirements

The system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include Sports Wagering accounting procedures designed to ensure that the Sports Wagering Operator's wagering activities are accurately and timely recorded and reported. Specifically, the policies and procedures shall comport with 205 CMR 243.01: *Standards for Sports Wagering Equipment* and must address:

- (1) The procedures and security for the daily calculation and recording of gross Sports Wagering receipts, Adjusted Gross Sports Wagering Receipts and winnings.
- (2) The policies and procedures in connection with the internal audit department of its Sports Wagering Operations.
- (3) The procedure for the recording of and reconciliation of Sports Wagering transactions.

238.42: Commission Access to Sports Wagering Data

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall detail the controls to assure that all data the Commission requires to be maintained under M.G.L. c. 23N or 205 CMR is appropriately segregated and controlled to prevent unauthorized access. Sports Wagering Operators must provide the Commission with access to all such data, upon request, within a time provided for by the Commission. A Sports Wagering Operator must retain such data for a minimum of five (5) years.

238.43: Reports of Sports Wagering Operations

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall detail the Sports Wagering Operator's ability to maintain daily records and must be able to prepare reports supporting gross Sports Wagering receipts and Adjusted Gross Sports Wagering Receipts, wagering liability, payouts, and any other reports considered necessary by the Commission. The Sports Wagering Operator shall timely file with the Commission any additional reports required by M.G.L. c. 23N or by any rule or regulation.

238.44: Data and Network Security Requirements

- (1) A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall ensure compliance with all applicable state and federal requirements for data and network security including 205 CMR ~~257.00~~, G.L. c. 93H, G.L. c. 93I, 201 CMR 17, and any other applicable law, regulation or order of a governmental body.
- (2) Pursuant to M.G.L. c. 23N, § 11(a)(v), a Sports Wagering Operator shall employ commercially reasonable methods to maintain the security of Wagering data, Confidential Information ~~patron data~~ and other ~~confidential information~~ Personally Identifiable Information from unauthorized access and dissemination; provided, however, that nothing in M.G.L. c. 23N or 205 CMR shall preclude the use of internet or cloud-based hosting of such data and information or disclosure as required by court order, other law or M.G.L. c. 23N; and provided further, that such data and information shall be hosted in the United States.
- (3) Internal and external network vulnerability scans shall be run at least quarterly and after any significant change to the Sports Wagering Platform or network infrastructure. Testing procedures must verify that four quarterly internal and scans took place in the past twelve (12) months and that re-scans occurred until all "Medium Risk" (CVSS 4.0 or Higher) vulnerabilities were resolved or accepted via a formal risk acceptance program. Internal scans should be performed from an authenticated scan perspective. External scans can be performed from an uncredentialed perspective.
  - (a) The quarterly scans may be performed by either a qualified employee of the Sports Wagering Operator or a qualified independent technical expert selected by the Sports Wagering Operator and subject to approval of the Commission in accordance with 205 CMR 243.01: *Standards for Sports Wagering Equipment*.

- (b) Verification of scans must be submitted to the Commission on a quarterly basis and must include a remediation plan and any risk mitigation plans for those vulnerabilities not able to be resolved.

238.45: Confidential Information and Personally Identifiable Information Security

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- (1) Any information obtained in respect to Sports Wagering or the Sports Wagering Account, including Confidential Information and Personally Identifiable Information and authentication credentials, shall be collected, maintained, stored and secured in compliance with the privacy policies and 205 CMR138.73 and ~~2XX257~~, G.L. c. 93H, G.L. c. 93I, 201 CMR 17, and any other applicable law, regulation or order of a governmental body. ~~Confidential Information, Personally Identifiable Information and the Sports Wagering Account funds shall be considered as critical assets for the purposes of risk assessment.~~
- (2) No employee or agent of the Sports Wagering Operator shall divulge any Confidential Information or Personally Identifiable Information related to a Sports Wagering Account, the placing of any Wager or any other sensitive information related to the operation of Sports Wagering except as required or permitted by this section or 205 CMR ~~2XX257~~, the Commission or other authorized governmental agencies, including:
  - (a) The amount of money credited to, debited from, withdrawn from, or present in any particular Sports Wagering Account;
  - (b) The amount of money Wagered by a particular patron on any event or series of events;
  - (c) The unique patron ID or username and authentication credentials that identify the patron;
  - (d) The identities of particular Sporting Events on which the patron is Wagering or has Wagered; and
  - (e) Unless otherwise authorized by the patron, the name, address, and other Personally Identifiable Information or Confidential Information in the possession of the Sports Wagering Operator that would identify the patron to anyone other than the Commission or the Sports Wagering Operator, provided, however, that such authorization must be clear, conspicuous, and received apart from any other agreement or approval of the patron. Acceptance of general or broad terms of use or similar documents that purport to permit the sharing of Personally Identifiable Information or Confidential Information in the same document shall not constitute adequate authorization, not shall hovering over, muting, pausing, pre-selecting, or closing a given piece of content without affirmatively granting consent; or purported agreement. Further, no authorization shall be deemed to be a waiver of any of the patron's other rights. The option to withdraw such consent must be clearly and conspicuously available to the patron

online through any patron account page on the Sports Wagering Operator's website and within any Sports Wagering mobile application. A patron shall not be required to confirm withdrawal of consent more than once, and no intervening pages or offers will be presented to the patron before such confirmation is presented to the patron.

238.46: Reprints of Sports Wagering Tickets and Vouchers

A system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall detail procedures to reprint tickets or vouchers that fail to print at either a Ticket Writer Station or Sports Wagering Kiosk. Such procedures shall include a requirement of supervisory authorization for the reprint.

238.47: Validation and Payout of Sports Wagering Tickets and Vouchers

A system of Internal Controls submitted by a Sports Wagering Licensee in accordance with 205 CMR 238.02 shall include the necessary controls in place for validation and payment of prizes and to prevent fraud related to unclaimed winning Sports Wagering tickets and vouchers.

- (1) Validation Process. The Sports Wagering Operator shall define and implement procedures to ensure the validity of winning Sports Wagering tickets and vouchers, and process payouts thereof.
  - (a) No Sports Wagering ticket or voucher recorded or reported as previously paid, canceled, or non-existent shall be deemed a valid ticket or voucher by the Sports Wagering Operator. The Sports Wagering Operator may withhold payment and refuse to cash any Sports Wagering ticket or voucher deemed not valid.
  - (b) The Sports Wagering Operator shall not satisfy claims on lost, mutilated, or altered Sports Wagering tickets without authorization of the Commission.
- (2) Security of Unclaimed Ticket and Voucher Data. The Sports Wagering Operator shall implement technical and procedural controls to ensure the confidentiality, integrity, and availability of unclaimed winning Sports Wagering ticket and voucher data. This shall include as a minimum, files containing information on specific winning Sports Wagering tickets and vouchers yet to be claimed and any validation files. Specific consideration shall be given to access control to restrict access to the data, monitoring of user interaction with the data, and a process for dealing with unauthorized access or export of the data.
- (3) Payout Procedure. A Sports Wagering Operator's Internal Controls shall include a winning Sports Wagering ticket and voucher payout procedure that:
  - (a) Defines a maximum payout period;
  - (b) Includes a process to audit final transfers upon Wager settlement;



- (c) Details the rules and due diligence required prior to making a decision on payout for a lost, stolen or damaged ticket or voucher;
  - (d) Details the procedure with regard to inquiries into the validity of claims;
  - (e) Includes a procedure with regard to late or last minute payouts; and
  - (f) Addresses whether or not a winning ticket may be redeemed by mail and, if so, the procedures for such redemption.
- (4) Fraud Detection. There shall be adequate audit records kept and reviewed as part of the winning Sports Wagering ticket and voucher payout procedure to identify unusual patterns of late payouts and any claims made by personnel that might require investigation.

238.48: Expiration of Sports Wagering Tickets and Vouchers; Payment to the Sports Wagering Control Fund

- (1) The system of Internal Controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.02 shall include provisions governing the expiration of winning Sports Wagering tickets and vouchers that provide, at a minimum, that:
  - (a) Any money that is owed to a patron by a Sports Wagering Operator as a result of a winning Sports Wagering ticket or voucher must be claimed within one year of the date of the Sporting Event for which the Wager was won or the obligation of the Sports Wagering Operator to pay the patron will expire. Upon expiration of the obligation, the involved funds must be transferred to the Sports Wagering Control Fund in accordance with M.G.L. c. 23N, § 13(h). In calculating the one year period referenced in 205 CMR 238.48(1)(a) and in M.G.L. c. 23N, § 13(h), any period of time for which the Gaming Establishment or Sports Wagering facility was not in operation shall be excluded; and
  - (b) A Sports Wagering Operator shall maintain a record of all unclaimed winning Sports Wagering tickets and vouchers that have expired.
- (2) Before the end of each calendar month, the Sports Wagering Operator shall report the total value of winning Sports Wagering tickets and vouchers owed to its patrons that expired during the preceding calendar month in a format prescribed by the Commission.
- (3) Each Sports Wagering Operator shall submit a check with its monthly report payable to the Sports Wagering Control Fund in accordance with M.G.L. c. 23N, § 13(h) in the amount of the winning Sports Wagering tickets and vouchers owed to its patrons that expired during the preceding month as stated in the report.

- (4) Upon the payment of the expired debt, the Sports Wagering Operator shall post the payment and remove the amount from its records as an outstanding debt.
- (5) Failure to make the payment to the Sports Wagering Control Fund by the due date shall result in the imposition of penalties and interest as prescribed by 205 CMR.
- (6) Nothing in 205 CMR 238.68 shall preclude the Sports Wagering Operator from, in its discretion, issuing cash or other form of complimentary to a patron to compensate the patron for a winning Sports Wagering ticket or voucher that has expired.

238.49: Entertainment, Filming or Photography within the Sports Wagering Area or Sports Wagering Facility

Any entertainment, filming or photography within the Sports Wagering Area of the Gaming Establishment or Sports Wagering Facility shall not disrupt or interfere with the:

- (1) Efficient operations of Sports Wagering;
- (2) The security of the Gaming Establishment or any portion thereof;
- (3) Surveillance operations; or
- (4) The security or integrity of Sports Wagering Operations or any authorized Sports Wagering.

238.50: Policies and Procedures for Ensuring a Workplace Free from Unlawful Discrimination, Harassment and Retaliation

The Sports Wagering Operator, as well as their submitted system of Internal Controls, shall comply with 205 CMR 138.72: *Policies and Procedures for Ensuring a Workplace Free from Unlawful Discrimination, Harassment and Retaliation*.

REGULATORY AUTHORITY  
M.G.L. 23N, §§ 4, 6, and 10



## **SMALL BUSINESS IMPACT STATEMENT**

The Massachusetts Gaming Commission (“Commission”) hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2 relative to the proposed amendment of **205 CMR 238 UNIFORM STANDARDS OF ACCOUNTING PROCEDURES AND INTERNAL CONTROLS**.

This regulation was amended as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23N, §4. These amendments are intended to establish the internal surveillance and security standards for Category 2 Sports Wagering Operators, and standards regarding the safeguarding and protection of confidential and personally identifiable patron information.

The regulation applies to potential sports wagering operators and the Commission. Accordingly, this regulation is unlikely to have an impact on small businesses. Under G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

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

This regulation is unlikely to have an impact on small businesses.

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

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

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

No standards applicable to small businesses are set forth. Provided standards are performance standards.

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

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

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



Massachusetts Gaming Commission

This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission  
By:

/s/ Caitlin Monahan  
Caitlin Monahan, Deputy General Counsel

Dated: May 25, 2022

DRAFT



Massachusetts Gaming Commission

205 CMR 247: UNIFORM STANDARDS OF SPORTS WAGERING

Section

- 247.01: Authorized and Prohibited Sporting Events and Wager Categories
- 247.02: House Wagering Rules and Patron Access
- 247.03: Petition for a Sporting Event or Wager Category
- 247.04: Prohibiting Wagers for Good Cause
- 247.05: Data Sources and Official League Data
- 247.06: Sports Wagering Tournaments/Contests/Pool
- 247.07: Acceptance of Sports Wagers
- 247.08: Minimum and Maximum Wagers; Additional Wagering Requirements
- 247.09: Promotional Offers
- 247.10: Exchange Wagering and Other Peer-to-Peer Wagering

247.01: Authorized and Prohibited Sporting Events and Wager Categories

- (1) A Sports Wagering Operator may offer Sports Wagering only for those Sporting Events and Wager Categories authorized by the Commission and posted on the Commission's website.
- (2) An Operator shall not offer Sports Wagering on:
  - (a) Any Collegiate Sport or Athletic Event:
    - 1. With an outcome dependent on the performance of an individual athlete, including, but not limited, to in-game or in-play wagers;
    - 2. Involving any collegiate teams from the Commonwealth, unless the teams are involved in a Collegiate Tournament.
  - (b) Any eSports event that:
    - 1. Is not sanctioned by an approved Sports Governing Body or equivalent as authorized by the Commission; and
    - 2. Has not been endorsed by the Commission pursuant to the procedures set forth in 205 CMR 247.03;
  - (c) Any virtual sports event unless:
    - 1. A Random Number Generator (RNG), certified by an independent testing laboratory, is used to determine the outcome(s);

2. A visualization of the virtual sports event is offered to all patrons which displays an accurate representation of the result(s) of the virtual sports event; and
  3. The virtual sports event is approved pursuant to the procedures set forth in 205 CMR 247.03;
- (d) Any horse or greyhound races;
  - (e) Any injuries, penalties, player discipline, or replay review;
  - (f) Any high school or youth sports or athletic events;
  - (g) Any fantasy contest unless offered pursuant to M.G.L. c. 12, § 11M½ and 940 CMR 34.00: *Daily Fantasy Sports Contest Operators in Massachusetts*;
  - (h) Any Sporting Event or Wager Category in which the outcome has already been determined and is publicly known; or
  - (i) Any other Sporting Event or Wager Category until the Sporting Event or Wager Category has been approved by the Commission in accordance with 205 CMR 247.03.

247.02: House Wagering Rules and Patron Access

- (1) In accordance with M.G.L. c. 23N, § 10(a), the Sports Wagering Operator shall adopt comprehensive House Rules for Sports Wagering. The Sports Wagering Operator shall not conduct Sports Wagering until the Commission has approved the House Rules and the Sports Wagering Operator shall not conduct Sports Wagering in a manner inconsistent with approved House Rules.
- (2) In accordance with M.G.L. c. 23N, § 10(b), the Sports Wagering Operator shall make copies of its House Rules readily available to patrons and shall post the same as required by the Commission, including on a prominent place on the Sports Wagering Operator's public website, mobile application or other digital platform, and where applicable, prominently within the Sports Wagering Facility or Sports Wagering Area. Said copies of the Sports Wagering Operator's House Rules shall state the date on which they became effective. The Sports Wagering Operator shall provide previous versions of its House Rules to any patron upon written request.
- (3) The House Rules must address the following items regarding Sports Wagers, at a minimum:
  - (a) Types of Sports Wagers accepted;
  - (b) Minimum and maximum Sports Wagers;

- (c) Description of the process for handling incorrectly posted events, odds, Sports Wagers, or results;
  - (d) Methods for the calculation and payment of winning Sports Wagers;
  - (e) Effect of schedule changes;
  - (f) Methods of notifying patrons of odds or proposition changes;
  - (g) Whether the Operator accepts Sports Wagers at other than posted terms;
  - (h) Procedures related to pending winning Sports Wagers;
  - (i) Methods of contacting the Sports Wagering Operator for questions and complaints including information explaining how complaints can be filed, how complaints are resolved, and how the patron may submit a complaint to the Commission;
  - (j) Description of prohibited persons pursuant to 205 CMR 238.33, restricted patrons pursuant to 205 CMR 238.32, and Sporting Events and Wager Categories on which Sports Wagers may not be accepted under M.G.L. c. 23N and 205 CMR 247.02;
  - (k) Methods of funding a Sports Wager;
  - (l) Maximum payouts; however, such limits must only be established through limiting the amount of a Sports Wager and cannot be applied to reduce the amount paid to a patron as a result of a winning Sports Wager;
  - (m) Parlay-Wager-related rules;
  - (n) The Operator's policy for canceling or voiding Sports Wagers in accordance with 205 CMR 238.35;
  - (o) The Operator's policy for when an event or any component of an event on which Sports Wagers are accepted is canceled or suspended, including the handling of Sports Wagers with multiple selections, such as parlays, where one or more of these selections is canceled; and
  - (p) Any additional content for House Rules outlined in 205 CMR 243.01: *Standards for Sports Wagering Equipment.*
- (4) The Sports Wagering Operator shall not change or modify the House Rules without the prior written approval of the Commission. Failure by an Operator to act in accordance with its House Rules may result in disciplinary action.

247.03: Petition for a Sporting Event or Wager Category

- (1) Any ~~Operator~~Person may petition the Commission for approval of a new Sporting Event or Wager Category.
- (2) A proposed new Sporting Event or Wager Category may be a variation of an authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category.
- (3) A petition for a proposed new Sporting Event or Wager Category shall be in writing and must include, at a minimum, the following information:
  - (a) The name(s) and address(es) of petitioner(s);
  - (b) The name of the Sporting Event or Wager Category;
  - (c) Whether the Sporting Event or Wager Category is a variation of an authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category;
  - (d) The name of ~~the~~any Sports Wagering Operator sponsoring the petition;
  - (e) A complete and detailed description of the Sporting Event or Wager Category for which approval is sought, including:
    1. A summary of the Sporting Event or Wager Category and the manner in which Sports Wagers would be placed and winning Sports Wagers would be determined;
    2. A draft of the proposed House Rules, including a description of any technology that would be utilized to offer Sports Wagering on the Sporting Event or Wager Category;
    3. Any rules or voting procedures related to the Sporting Event or Wager Category;
    4. Assurance that the Sporting Event or Wager Category meets the requirements of 205 CMR 247.03(4);
    5. Whether and to what extent the outcome of the Sporting Event or Wager Category is determined solely by chance;
  - (f) If the proposed Sporting Event or Wager Category is based on eSports activities, complete information about:
    1. The proposed location(s) of the eSports event(s);
    2. The video game used for the eSports event, including, without limitation, the publisher of the video game;



3. The eSports event operator, whether the eSports event operator is approved to host events by the video game publisher, and whether the eSports event operator has any affiliation with the video game publisher;
  4. The manner in which the eSports event is conducted by the eSports event operator, including, without limitation, eSports event rules and certification from a third party, such as an eSports event operator or the game publisher, that the eSports event meets the Commission's event integrity requirements;
- (g) The name of any Sports Governing Body or equivalent organization, as authorized by the Commission;
  - (h) To the extent known by the petitioner(s), a description of policies and procedures regarding event integrity;
  - (i) Any other information or material requested by the Bureau or Commission.
- (4) The Commission shall not grant the petition and authorize the Sporting Event or Wager Category unless the following minimum criteria are met:
    - (a) The outcome can be verified;
    - (b) The Sporting Event generating the outcome is conducted in a manner that ensures sufficient integrity controls exist so the outcome can be trusted;
    - (c) The outcome is not likely to be affected by any Sports Wager placed; and
    - (d) The Sporting Event is conducted in conformity with all applicable laws.
  - (5) The Commission will consider the request, all provided materials, and any relevant input from the Sports Governing Body, the conductor of the Sporting Event or related Players Associations, prior to authorizing a Sporting Event or Wager Category.
  - (6) In its sole discretion, the Commission may require an appropriate test or experimental period, under such terms and conditions as the Commission may reasonably require, before granting final approval to a Sporting Event or Wager Category.
  - (7) In its sole discretion, the Commission may subject any technology that would be used to offer a Sporting Event or Wager Category to testing, investigation, and approval.

- (8) The Commission may grant, deny, limit, restrict, or condition a request made pursuant to this rule, and may revoke, suspend, or modify any approval granted under this rule.
- (9) The Commission shall notify all Sports Wagering Operators of any changes to authorized Sporting Events and Wager Categories.
- (10) The Commission may prohibit the acceptance of any Sports Wagers, and may order the cancellation of Sports Wagers and require refunds on any Sporting Event or Wager Category, for which wagering would be contrary to the interests of the Commonwealth.
- (11) If a Sports Wagering Operator offers an unauthorized or prohibited Sporting Event or Wager Category, the Sports Wagering Operator must immediately cancel and refund all Sports Wagers associated with the unauthorized or prohibited Sporting Event or Wager Category; provided, however, that where only a portion of a Sports ~~Wagers~~Wager with multiple selections, such as a parlay, is unauthorized, the Sports Wagering Operator may cancel only that portion of the Sports Wager in accordance with the provisions of their House Rules if properly disclosed in accordance with 205 CMR 247.02(3)(o). The Sports Wagering Operator must notify the Commission promptly after cancelling any Sports Wager and again after refunding any Sports Wager.
- (12) The Commission may use any information it considers appropriate, including, but not limited to, information received from a Sports Governing Body, in determining whether to authorize or prohibit wagering on a particular Sporting Event or Wager Category.

247.04: Prohibiting Wagers for Good Cause

- (1) Pursuant to M.G.L. c. 23N, § 11(b), a Sports Governing Body, equivalent organization, as authorized by the Commission, or related Players Association may request in writing that the Commission restrict, limit or exclude a certain type, form or category of Sports Wagering with respect to Sporting Events of the Sports Governing Body, if the Sports Governing Body or Players Association believes that such type, form or category of Sports Wagering with respect to Sporting Events of the Sports Governing Body:
  - (a) Is contrary to public policy;
  - (b) Is unfair to patrons;
  - (c) May undermine the perceived integrity of the Sports Governing Body, Sporting Events of the Sports Governing Body, or the athletes participating therein; or

- (d) Affects the integrity of the Sports Governing Body, Sporting Events of the Sports Governing Body, or the integrity, health or welfare of the athletes participating therein or that of their families.
- (2) The request must be submitted in the form and manner prescribed by the Commission and must include, at a minimum, all of the following:
  - (a) The identity of the requestor, and contact information for at least one individual who shall be the primary point of contact for questions related to the request;
  - (b) A description of the Sporting Event or Wager Category that is the subject of the request;
  - (c) Information explaining why the requestor believes the requirements of 205 CMR 247.04(1) are met; and
  - (d) Any other information required by the Commission.
- (3) The Commission shall grant the request upon good cause shown, or deny the request otherwise; provided, however, that if the Commission determines that the requestor is more likely than not to make a showing of good cause, the Commission may provisionally grant the request until the Commission makes a final determination as to whether the requestor has shown good cause.
- (4) If the request concerns a particular Sporting Event, it must be sent to the Commission at least ten days before the event, unless the request involves allegations of match-fixing, the manipulation of an event, misuse of inside information, or other prohibited activity, in which case it must be sent to the Commission as soon as is reasonably practical.
- (5) The Commission shall grant or deny any request concerning a particular Sporting Event, received at least ten days before the event, before the event. Otherwise, the Commission shall grant or deny any request within fourteen days;
- (6) Upon receiving a complete request under 205 CMR 247.04(1), the Commission shall request comment from Sports Wagering Operators on all such requests in writing. The request shall include the date by which any written responses must be submitted to the Commission. All Sports Wagering Operators must be given an opportunity which is reasonable under all the circumstances to respond to the request.
- (7) A Sports Wagering Operator may continue to offer Sports Wagering on any Sporting Event that is the subject of a request until the Commission provisionally grants or grants the request.

- (7) (8) Nothing herein shall be construed to limit or restrict the Commission's authority to restrict, limit or exclude a certain type, form or category of Sports Wagering on its own initiative, without a request pursuant to 205 CMR 247.04(1).

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247.05: Data Sources and Official League Data

- (1) Except as otherwise provided in 205 CMR 247.05, a Sports Wagering Operator may use any licensed data source to determine the results of all tier 1 Sports Wagers and tier 2 Sports Wagers, subject to all of the following conditions:
  - (a) The data source and corresponding data must be complete, accurate, reliable, timely, and available.
  - (b) The data source must be appropriate to settle the types of events and types of wagers for which it is used.
  - (c) The data is not obtained directly or indirectly from live event attendees who collect the data in violation of the terms of admittance to an event, or through automated computer programs that compile data from the Internet in violation of the terms of service of any website or other Internet platform.
  - (d) The proprietor or manager of any data source that provides data directly to a Sports Wagering Operator must be licensed by the Commission as a Sports Wagering Vendor.
  - (e) The data source and corresponding data must meet any other conditions set by the Commission.
- (2) A Sports Wagering Operator shall report to the Commission the data source that it uses to resolve Sports Wagers. The Commission may disapprove of a data source for any reason.
- (3) In accordance with M.G.L. c. 23N, § 4(c)(i), a Sports Wagering Operator shall not purchase or use any personal biometric data.
- (4) A Sports Governing Body headquartered in the United States may notify the Commission that it desires Sports Wagering Operators to use official league data to settle tier 2 Sports Wagers on the Sports Governing Body's Sporting Events. The notification shall be made in the form and manner required by the Commission and must include, at a minimum, all of the following:
  - (a) Identification information for the Sports Governing Body;
  - (b) Identification and contact information for at least one specific individual who will be the primary point of contact for issues related to the provision of official league data and compliance with the act and these rules;

- (c) Identification and contact information for any designees that are or will be expressly authorized by the Sports Governing Body to provide official league data in Massachusetts;
  - (d) Copies of any contracts relevant to the provision of official league data in Massachusetts, including all of the following:
    - 1. Copies of any contracts between the Sports Governing Body and any designees that are or will be expressly authorized by the Sports Governing Body to provide official league data in Massachusetts; and
    - 2. Copies of any contracts between the Sports Governing Body or its designees and Sports Wagering Operators in Massachusetts;
    - 3. A description of the official league data the Sports Governing Body desires to provide; and
  - (e) Any other information required by the Commission.
- (5) A Sports Governing Body may not submit a notification under 205 CMR 247.05(4) unless the Commission has authorized Sports Wagering Operators to accept tier 2 wagers on athletic events of the Sports Governing Body.
- (6) Within 5 days of receipt of the notification, the Commission shall notify each Sports Wagering Operator of the requirement to use official league data to settle tier 2 Sports Wagers. If a Sports Governing Body does not notify the Commission of its desire to supply official league data, a Sports Wagering Operator may use any data source for determining the results of any and all tier 2 Sports Wagers on Sporting Events of the Sports Governing Body.
- (7) Within 60 days of the Commission issuing a notification pursuant to 205 CMR 247.05(4), or such longer period as may be agreed between the Sports Governing Body and the applicable Sports Wagering Operator, a Sports Wagering Operator shall use only official league data to determine the results of tier 2 Sports Wagers on Sporting Events of that Sports Governing Body, unless:
- (a) The Sports Governing Body or its designee cannot provide a feed of official league data to determine the results of a particular type of tier 2 Sports Wager, in which case a Sports Wagering Operator may use any data source for determining the results of the applicable tier 2 Sports Wager until such time a data feed becomes available from the Sports Governing Body on commercially reasonable terms and conditions; or
  - (b) A Sports Wagering Operator can demonstrate to the Commission that the Sports Governing Body or its designee will not provide a feed of official

league data to the Sports Wagering Operator on commercially reasonable terms and conditions.

- (8) In evaluating whether official league data is offered on commercially reasonable terms and conditions for purposes of 205 CMR 247.05(7)(a), the Commission may consider:
- (a) The availability of official league data to a Sports Wagering Operator from more than one authorized source and whether it is offered under materially different terms;
  - (b) Market information, including, but not limited to, price and other terms and conditions of Sports Wagering Operators' purchases of comparable data in the Commonwealth and other jurisdictions;
  - (c) The characteristics of the official league data and any alternate data sources, including:
    - 1. The nature, quantity, quality, integrity, completeness, accuracy, reliability, availability, and timeliness of the data;
    - 2. The quality, complexity, integrity, and reliability of the process used to collect the data; and
    - 3. Any other characteristics the Commission deems relevant;
  - (d) The availability and cost of comparable data from other authorized data sources;
  - (e) Whether any terms of the contract or offer sheet are uncompetitive in nature, are economically unfeasible, or otherwise unduly burden the Sports Wagering Operator; and
  - (f) Any other factors the Commission deems relevant.
- (9) Notwithstanding 205 CMR 247.05(7) or any provision of 205 CMR 247.05 to the contrary, during the pendency of the determination of the Commission as to whether a Sports Governing Body or its designee may provide official league data on commercially reasonable terms, a Sports Wagering Operator may use any data source to determine the results of tier 2 Sports Wagers. The determination shall be made within 120 days of the Sports Wagering Operator notifying the Commission that it requests to demonstrate that the Sports Governing Body or its designee will not provide a feed of official league data to the Sports Wagering Operator on commercially reasonable terms.
- (10) The Commission shall maintain, and may publish, a list of all Sports Governing Bodies that provide official league data under 205 CMR 247.05.

- (11) At any time, a Sports Governing Body may give written notification to the Commission and all Sports Wagering Operators to which the Sports Governing Body or its designee provides official league data that the Sports Governing Body intends to stop providing official league data. The written notification shall specify in the date on which the Sports Governing Body shall stop providing official league data. Said date shall be no fewer than seven days later than the date of the written notification. On receipt of the written notification, a Sports Wagering Operator may use any data source that meets the requirements of 205 CMR 247.05(1) to determine the results of tier 2 Sports Wagers on athletic events of the Sports Governing Body.
- (12) If a Sports Governing Body does not notify the Commission of its desire to supply official league data under 205 CMR 247.05, a Sports Wagering Operator may use any data source that meets the requirements of 205 CMR 247.05(1) for determining the results of any and all tier 2 Sports Wagers on Sporting Events of the Sports Governing Body.
- (13) A Sports Governing Body may enter into commercial agreements with a Sports Wagering Operator or other entity in which such Sports Governing Body may share in the amount wagered or revenues derived from Sports Wagering on Sporting Events of the Sports Governing Body. A Sports Governing Body shall not be required to obtain a license or any other approval from the Commission to lawfully accept such amounts or revenues.

247.06: Sports Wagering Tournaments/Contests/Pool

- (1) No Sports Wagering tournament, contest, or pool shall be conducted unless the Sports Wagering Operator, before the first time a given type of tournament, contest, or pool is offered, files a written request with the Commission to offer that type of tournament, contest, or pool, and the Commission grants the request.
- (2) The request must provide a detailed description of the type of tournament, contest, or pool and must include the rules of the tournament, contest, or pool, the requirements for entry, the entry fees, the rake, and potential payouts. The request must also indicate whether or not the proposed type involves a shared liquidity pool available to patrons in Massachusetts and other jurisdictions with the prize pool comprising entry fees collected from patrons in multiple jurisdictions.
- (3) Once a Sports Wagering Operator receives approval to offer a type of tournament, contest, or pool, the Sports Wagering Operator shall not be required to seek additional approvals from the Commission for each subsequent type that has only variations to the size, number of entries permitted, entry fee, or prize structure, or other minor variations as allowed by the Commission.
- (4) Each Sports Wagering Operator must maintain a record of each tournament, contest, or pool it offers, which must address, at a minimum, all of the following:
  - (a) Name or identification of the tournament, contest, or pool;

- (b) The date and time the tournament, contest, or pool occurred or will occur (if known);
  - (c) Relevant Sporting Events and Wager Categories;
  - (d) Rules concerning play or participation in the tournament, contest, or pool;
  - (e) For each registered patron:
    - 1. The patron's unique identifier;
    - 2. The amount of entry fees collected from the patron, including any Promotional Gaming Credits, and the date collected;
    - 3. The patron's scorings/rankings; and
    - 4. Any payouts to the patron, including any Promotional Gaming Credits, and the date paid;
  - (f) Total rake, Commission, or fees collected;
  - (g) Funding source amount or amounts comprising the prize pool, including buy-ins, re-buys, or add-ons;
  - (h) Prize structure of payouts;
  - (i) The methodology for determining winner or winners; and
  - (j) The current status of the tournament, contest, or pool.
- (5) The Sports Wagering Operator's rake collected from patrons located within the Commonwealth who enter a tournament, contest, or pool (less any rake adjustment, if applicable), is Sports Wagering revenue subject to all taxes and tax requirements outlined in 205 CMR 240: *Sports Wagering Revenue Tax Remittance and Reporting*, and:
- (a) At no time shall the calculation resulting from a rake or rake adjustment be negative; and
  - (b) For a tournament, contest, or pool which utilizes shared liquidity available to patrons in Massachusetts and other jurisdictions, the rake rate must be the same for all jurisdictions participating.
- (6) All Breaks from each prize pool must be transferred to the Sports Wagering Control Fund in accordance with M.G.L. c. 23N, § 15(a).



- (1) Available Sports Wagers must be displayed to the public. The display must include the odds and a brief description of the Sporting Event and wagering proposition.
- (2) A Sports Wagering Operator may not accept a Sports Wager on a Sporting Event unless the availability of that Wager is posted in accordance with 205 CMR 247.07(1).
- (3) A Sports Wagering Operator may not set lines or odds or offer wagering propositions designed for the purposes of ensuring that a patron will win a Sports Wager or a series of Sports Wagers, unless the lines, odds, or wagering propositions are offered in connection with a promotional offer made in accordance with 205 CMR 247.09.
- (4) Sports Wagers may only be placed from:
  - (a) A sports wagering counter or other counter locations within a Sports Wagering Facility or Sports Wagering Area as approved by the Commission;
  - (b) A Sports Wagering Kiosk, within a Sports Wagering Facility or Sports Wagering Area and in a location approved by the Commission;
  - (c) A designated counter in the cashier's cage within a Sports Wagering Facility or Sports Wagering Area for the redemption of winning sports wagering tickets or vouchers; or
  - (d) A mobile application or digital platform approved by the Commission.
- (5) Sports wagers within a Sports Wagering Facility or Sports Wagering Area may only be conducted with chips, tokens, electronic cards, or:
  - (a) Cash or cash equivalents;
  - (b) Foreign currency and coin converted to US currency;
  - (c) Digital, crypto and virtual currencies converted to cash;
  - (d) Electronic funds transfers (EFTs), including online and mobile payment systems;
  - (e) Debit instruments, including debit cards and prepaid access instruments;
  - (f) Promotional gaming credits;
  - (g) Winning sports wagering tickets or vouchers;
  - (h) Sports Wagering Accounts; or
  - (i) Any other means approved by the Commission or its designee.

- (6) Sports wagering transactions using a mobile application or other digital platform may only be conducted by a patron physically located within the Commonwealth, using their Sports Wagering Account.
- (7) A Sports Wagering Operator shall prohibit any use of credit cards, either directly or indirectly, including without limitation through an account funded by credit card, in placing Sports Wagers.
- (8) A Sports Wagering Operator shall record the Personally Identifiable Information (as defined in 205 CMR 257.01) required to register for a Sports Wagering Account under 205 CMR 248.03(1) before accepting anonymous Sports Wagers in excess of \$10,000 or issuing payouts on anonymous Sports Wagers in excess of \$10,000.
  - (a) The Sports Wagering Operator shall not knowingly allow, and shall take reasonable steps to prevent, the circumvention of reporting requirements through a patron making a structured transaction, including multiple Sports Wagers or a series of Sports Wagers that are designed to accomplish indirectly that which could not be accomplished directly. A Sports Wager or wagers need not exceed the dollar thresholds at any single Sports Wagering Operator in any single day in order to constitute prohibited structuring.
  - (b) The Sports Wagering Operator shall not knowingly assist, encourage or instruct a player in structuring or attempting to structure Sports Wagers.
  - (c) 205 CMR 247.07(8) does not prohibit a Sports Wagering Operator from informing a player of the regulatory requirements imposed upon the Sports Wagering Operator, including the definition of structured Sports Wagers.
- (9) A Sports Wagering Operator must provide for the patron's review and finalization of a Sports Wager before the Sports Wagering Operator accepts it. The Sports Wagering Operator shall not change a Sports Wager after the patron has reviewed and finalized the wager. To the extent permitted by approved House Rules, a patron may change a Sports Wager after the patron has reviewed and finalized the wager.
- (10) A Sports Wagering Operator may cancel an accepted Sports Wager only in accordance with 205 CMR 238.35.
- (11) Except as otherwise provided in 205 CMR 238.35: *Cancelled or Void Wagers*, a Sports Wagering Operator may not unilaterally cancel an accepted Sports Wager without prior written approval of the Commission. A Ticket Writer, as defined in 205 CMR 238.01, may not cancel a Sports Wager for which the Ticket Writer assisted the patron for wager placement and must instead call a supervisor to cancel the Sports Wager.
- (12) A Sports Wagering Operator shall have no obligation to accept a Sports Wager if unable to do so due to equipment failure.

247.08: Minimum and Maximum Wagers; Additional Wagering Requirements

- (1) Unless otherwise directed by the Commission, there is no limitation as to the minimum or maximum wager a Sports Wagering Operator may accept. This rule does not preclude a Sports Wagering Operator from establishing its own minimum or maximum wagers or limiting a patron's Sports Wager for reasons considered necessary or appropriate by the Sports Wagering Operator.
- (2) A Sports Wagering Operator shall provide notice of the minimum and maximum wagers in effect for each Sporting Event or Wager Category and any changes thereto in accordance with 205 CMR 247.03(3).
- (3) Notwithstanding 205 CMR 247.08(2), a Sports Wagering Operator may, in its discretion, permit a player to wager below the established minimum wager or above the established maximum wager unless otherwise directed by the Commission.
- (4) Nothing in 205 CMR 247.08 shall preclude a Sports Wagering Operator from establishing additional wagering requirements that are consistent with the House Rules, provided that the Sports Wagering Operator satisfies the notice requirements of 205 CMR 247.03(3).

247.09: Promotional Offers

- (1) A Sports Wagering Operator must maintain a record of all promotional offers related to Sports Wagering. For each promotional offer, the Operator must document, at a minimum, the following:
  - (a) The name or identification of the promotional offer;
  - (b) The terms of the promotional offer, as specified in 205 CMR 247.09(2);
  - (c) The date(s) and time(s) the promotional offer was or is scheduled to be available;
  - (d) The date and time the promotional offer was or is scheduled to become discontinued;
  - (e) The current status of the Promotional offer; and
  - (f) The conditions or circumstances under which the promotion is displayed to a patron.
- (2) Disclosure of terms
  - (a) Sports Wagering Operators shall fully and accurately, clearly and conspicuously disclose the material terms of all promotional offers at the time such offers are advertised. If the material terms of a promotional offer cannot be fully and accurately disclosed within the constraints of a

particular advertising medium, the promotional offer may not be advertised in that medium.

- (b) Sports Wagering Operators shall provide full disclosures of the terms of and limitations on the offer before the patron provides anything of value in exchange for the offer. The terms disclosed according to this 205 CMR 247.09(2)(b) must include, at a minimum, all of the following:
1. The date and time advertisements for the offer are being presented;
  2. The date(s) and time(s) the offer is available;
  3. The date and time the offer becomes discontinued;
  4. Any requirements for a patron to be eligible;
  5. Any associated restriction on withdrawals of funds;
  6. Wagering requirements and limitations on Sporting Events or Wager Categories;
  7. How the patron will be notified when they have received an award;
  8. The order in which funds are used for wagers;
  9. Eligible Sporting Events or Wager Categories; and
  10. Rules regarding cancellation.
- (3) No promotional offer available to new patrons may contain terms that delay ~~its~~ full implementation ~~of the ability to redeem the Offer, by the Sports Wagering Operator~~ for a period of longer than ~~ninety-thirty (390) days, or require the patron to maintain an account with the Operator for longer than thirty (30) days to be eligible for the Offer,~~ regardless of the amount of Sports Wagering in that period by the patron. ~~[FOR DISCUSSION: SHOULD TIME PERIOD BE SHORTENED?]~~
- (4) No promotional offer may reward, be contingent upon, or otherwise relate to a patron's referral of other patrons to the Operator.
- (5) Promotional offers must comply with all applicable provisions of G.L. c. 23N, 205 CMR and all other applicable laws, including 940 CMR 3.00: *Consumer Protection, General Regulations* and 949 CMR 6.00: *Retail Advertising*, provided that 940 CMR 6.08(3)(b), 3(c), 5(b), 5(c) and (6) shall not apply.
- (6) A Sports Wagering Operator must provide a clear and conspicuous method for a patron to cancel their participation in a bonus or promotional offer that utilizes

restricted wagering credits that cannot be cashed out until a wagering requirement or other restrictions associated with the credits is met:

- (a) Upon request for cancellation, the Sports Wagering Operator shall inform the patron of the amount of unrestricted funds that will be returned upon cancellation and the value of restricted wagering credits that will be removed from the Sports Wagering Account; and
  - (b) If a patron elects to proceed with cancellation, unrestricted funds remaining in a patron's Sports Wagering Account must be returned according to the terms of a promotional offer.
- (7) Once a patron has met the terms of a promotional offer, a Sports Wagering Operator must not limit payouts earned while participating in the offer.

247.10: Exchange Wagering and Other Peer-to-Peer Wagering

- (1) Prior to offering exchange wagering or other peer-to-peer wagering, a Sports Wagering Operator must obtain approval from the Commission. The rake taken on such wagers shall be considered Sports Wagering revenue and is subject to all taxes and tax requirements outlined in 205 CMR 240: *Sports Wagering Revenue Tax Remittance and Reporting*.
- (2) One or more Sports Wagering Operators may, with prior approval of the Commission, participate in a sports wagering network in accordance with a written agreement that has been executed by each Sports Wagering Operator. The agreement shall:
  - (a) Designate the party responsible for the operation and administration of the network;
  - (b) Identify and describe the role, authority, and responsibilities of each participating Sports Wagering Operator and, if applicable, any Sports Wagering Vendor;
  - (c) Include a description of the process by which significant decisions that affect the operation of the network are approved and implemented by each Sports Wagering Operator; and
  - (d) Allocate the gross sports wagering receipts and tax liability between the participating Sports Wagering Operators to ensure the accurate reporting thereof.
- (3) Each party to an agreement to participate in a sports wagering network shall be jointly and severally liable for any acts or omissions in violation of M.G.L. c. 23N, 205 CMR, or the policies of the Commission.



## **SMALL BUSINESS IMPACT STATEMENT**

The Massachusetts Gaming Commission (“Commission”) hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2, relative to the proposed amendment of **205 CMR 247 UNIFORM STANDARDS OF SPORTS WAGERING**.

This regulation was amended as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23N, §4. These amendments are intended to address the procedure for cancelling a portion of a parlay wager, and the parameters of permissible promotional sports wagering offers.

The regulation applies to potential sports wagering operators and the Commission. Accordingly, this regulation is unlikely to have an impact on small businesses. Under G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

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

This regulation is unlikely to have an impact on small businesses.

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

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

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

No standards applicable to small businesses are set forth. Provided standards are performance standards.

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

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

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



Massachusetts Gaming Commission

This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission  
By:

/s/ Caitlin Monahan  
Caitlin Monahan, Deputy General Counsel

Dated: May 25, 2023

DRAFT



Massachusetts Gaming Commission

205 CMR 248.00: SPORTS WAGERING ACCOUNT MANAGEMENT

- 248.01: General Account Wagering
- 248.02: Account Refusals
- 248.03: Account Registration
- 248.04: Age and Identity Verification
- 248.05: Limitation to One Account Per Patron
- 248.06: Terms and Conditions and Privacy Policies
- 248.07: Account Access
- 248.08: Sufficient Account Balance
- 248.09: Financial Transactions
- 248.10: Account Deposits
- 248.11: Failed Electronic Funds Transfers (EFTs)
- 248.12: Account Withdrawals
- 248.13: Account Adjustments
- 248.14: Account Credits
- 248.15: Account Records and Statements
- 248.16: Responsible Gaming Limits
- 248.17: Account Suspension and Restoration
- 248.18: Account Closure
- 248.19: Abandoned Funds and Dormant Accounts

248.01: General Account Wagering

- (1) A Sports Wagering Operator may offer a system of account wagering to its patrons whereby Wagers are debited from and payouts credited to a sum of money, deposited in a Sports Wagering Account by the patron held by the Sports Wagering Operator.
- (2) A Sports Wagering Account may only be established in the name of a patron and is not transferable.
- (3) A Person may only place a Wager through a mobile application or other digital platform using funds from a Sports Wagering Account.
- (4) No Sports Wagering Operator may charge any fee to maintain or administer any Sports Wagering Account.

248.02: Account Refusals

A Sports Wagering Operator may reserve the right to, at any time, refuse to open a Sports Wagering Account, accept a wager, or accept a deposit. The Sports Wagering Operator shall not establish or maintain an account for any Person who has self-excluded or otherwise been excluded from Sports Wagering pursuant to M.G.L. c. 23N, § 13(e) or 205 CMR.

248.03: Account Registration



- (1) Any Person registering for a Sports Wagering Account shall provide Personally Identifiable Information to the Sports Wagering Operator. That information shall include, at a minimum, the following:
  - (a) Full legal name;
  - (b) Date of birth;
  - (c) Physical address of the Person's principal residence, which address shall not be a post office box;
  - (d) Social Security Number, or the last four (4) digits of the Social Security Number, or an equivalent Federal Identification Number for a noncitizen patron, such as a passport or taxpayer identification number;
  - (e) A telephone number for the patron; and
  - (f) Any other information sufficient to verify the registrant's identity and to prove the registrant is at least twenty-one (21) years of age.
- (2) During the registration process, the registrant shall:
  - (a) Not be permitted to register for a Sports Wagering Account if they submit a birth date which indicates that they are under the age of twenty-one (21);
  - (b) Be informed on the account application which information fields are "required," which are not, and the consequences of not filling in the "required" fields;
  - (c) Be required to agree to the terms and conditions and privacy policies of the Sports Wagering Operator;
  - (d) Be required to acknowledge that they are prohibited from allowing any other person to access or use their Sports Wagering Account;
  - (e) Be required to consent to the monitoring and recording of the use of their Sports Wagering Account by the Sports Wagering Operator and the Commission; and
  - (f) Be required to affirm that the Personally Identifiable Information provided in accordance with 205 CMR 248.03(1) is accurate.
- (3) For each Sports Wagering Account, the Sports Wagering Operator must establish and maintain an electronic patron file, which must, at a minimum, include the following for each patron:
  - (a) Unique patron ID and, if different from the patron ID, the patron's username;
  - (b) The information provided in accordance with 205 CMR 248.03(1) to register the patron and create the Sports Wagering Account;
  - (c) The date and method of identity verification, including, where applicable, the document number of the government issued identification credential examined and its date of expiration, if applicable, or, if a government issued

identification credential is not required for registration, the electronic record documenting the process used to confirm the patron's identity;

- (d) The date of the patron's agreements to the terms and conditions and privacy policies, including those in 205 CMR 248.06, and the date of the patron's agreement, acknowledgment, consent, and affirmation in accordance with 205 CMR 248.03(2)(c)-(f);
  - (e) Account details and current balance, including any incentive credits, provided, that all restricted wagering credits and unrestricted funds that may expire shall be maintained separately;
  - (f) The date on, and method by which, the Sports Wagering Account was registered;
  - (g) Every date on, time at which, and IP address from which the Sports Wagering Account is accessed;
  - (h) If the account is active, the debit instrument used to fund the account, the accountholder's name, and whether the debit instrument accountholder's name matches that of the patron; and
  - (i) The current status of the Sports Wagering Account (e.g., active, dormant, closed, suspended, excluded, etc.).
- (4) The following information maintained as part of the electronic patron file shall be stored in encrypted form and protected in accordance with 205 CMR ~~257XX~~:
- (a) The patron's social security number, taxpayer identification number, passport number, other government identification number(s), or portion(s) thereof;
  - (b) The patron's password(s), PIN(s), or other authentication credential(s); and
  - (c) The patron's debit instrument number(s), debit card number(s), bank account number(s) or other personal financial information.

#### 248.04: Age and Identity Verification

- (1) No Sports Wagering Operator shall allow any individual who is either under twenty-one (21) years of age, or is a prohibited person, as defined in 205 CMR 238.49, to create a Sports Wagering Account. This section shall not be construed to prevent a restricted patron, as defined in 205 CMR 238.48, from creating a Sports Wagering Account and depositing funds to such an account.
- (2) The Sports Wagering Operator shall employ electronic verification at the time of account establishment with respect to each patron's name, date of birth and Social Security number, or the last four (4) digits of the Social Security number, or other Federal Identification Number, by a Commission-approved national independent reference company or another independent technology approved by the

Commission which meets or exceeds the reliability, security, accuracy, privacy and timeliness provided by individual reference service companies.

- (3) The Sports Wagering Operator shall refuse to establish an account if it finds that any of the information supplied is untrue or incomplete.
- (4) The Sports Wagering Operator shall at the time of account establishment, utilize identity authentication questions that require a patron to provide information known only to the patron through security questions, unless an alternate method of authentication is approved by the Commission.
- (5) A Sports Wagering Operator must document and use commercially reasonable standards to confirm that an individual attempting to create a Sports Wagering Account is not a prohibited Person.
- (6) Upon developing reasonable suspicion that the patron's identification has been compromised, a Sports Wagering Operator must re-verify the patron's identification immediately.

#### 248.05: Limitation to One Account per Patron

- (1) No Sports Wagering Operator shall allow a patron to establish more than one username or more than one Sports Wagering Account with the Operator.
- (2) The system of internal controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238 shall implement procedures to terminate all accounts of any patron that establishes or seeks to establish more than one account, whether directly or by use of another Person as proxy. Such procedures may allow a patron that establishes or seeks to establish more than one username or more than one account to retain one account provided that the Sports Wagering Operator investigates and makes a good-faith determination that the patron's conduct was not intended to obtain a competitive advantage.

#### 248.06: Terms and Conditions and Privacy Policies

- (1) All terms and conditions and privacy policies for Sports Wagering Accounts shall be readily accessible to the patron before and after registration. Sports Wagering Operators shall inform patrons of any material changes or updates to said terms and conditions or privacy policies.
- (2) All terms and conditions for Sports Wagering Accounts must address all aspects of the Sports Wagering operation, including, but not limited to all of the following:
  - (a) A statement that only individuals over the age of twenty-one (21) and located in the authorized geographic boundaries within the Commonwealth may participate in Sports Wagering;
  - (b) Advice to the patron to keep their authentication credentials secure;

- (c) All processes for dealing with lost authentication credentials, forced password changes, password strength and other related items as required by the Commission;
  - (d) Full explanation of all rules applicable to dormant Sports Wagering Accounts, including the conditions under which an account may be declared dormant and what actions will be undertaken on the account once this declaration is made;
  - (e) Actions that will be taken on the patron's pending wagers placed prior to any exclusion or suspension, including the return of all wagers, or settling all wagers, as appropriate;
  - (f) Information about timeframes and limits regarding deposits to, or withdrawals from, the Sports Wagering Account, including a clear and concise explanation of all fees, if applicable; and
  - (g) Statements indicating that the Sports Wagering Operator has the right to:
    - 1. Refuse to establish a Sports Wagering Account for what it deems good and sufficient reason;
    - 2. Refuse deposits to, or withdrawals from, Sports Wagering Accounts for what it deems good and sufficient reason; and
    - 3. Unless there is a pending investigation or patron dispute, suspend or close any Sports Wagering Account at any time, provided such suspension or closure is in accordance with the terms and conditions between the Sports Wagering Operator and the patron, G.L. c. 23N, and 205 CMR.
- (3) All privacy policies for Sports Wagering Accounts must address all aspects of Confidential Information and Personally Identifiable Information ([as such terms are defined in 205 CMR 257.01](#)) protection, including, at a minimum any measures required by 205 CMR ~~257XX~~.00, G.L. c. 93H, G.L. c. 93I, 201 CMR 17, and any other applicable law, regulation or order of a governmental body.
- (a) The Confidential Information and Personally Identifiable Information required to be collected;
  - (b) The purpose and legal basis for Confidential Information and Personally Identifiable Information collection and of every processing activity for which consent is being sought;
  - (c) The period in which the Confidential Information and Personally Identifiable Information is stored, or, if no period can be possibly set, the criteria used to set this. It is not sufficient for the Sports Wagering Operator to state that the Confidential Information and Personally Identifiable Information will be kept for as long as necessary for the legitimate purposes of the processing;

- (d) The conditions under which the Confidential Information and Personally Identifiable Information may be disclosed;
- (e) An affirmation that measures are in place to prevent the unauthorized or unnecessary disclosure of the Confidential Information and Personally Identifiable Information; and
- (f) The identity and contact details on the Sports Wagering Operator who is seeking the consent, including any Sports Wagering Vendor(s) which may access and or use this Confidential Information and Personally Identifiable Information;
- ~~+~~(g) That the patron has certain rights with respect to their Confidential Information and Personally Identifiable Information Pursuant to 205 CMR ~~257XX~~, G.L. cc. 93H and 93I and 201 CMR 17.
- ~~(e)~~(h) The rights of a patron to file a complaint concerning the use or storage of the patron's Confidential Information and Personally Identifiable Information to the Commission, the Office of Consumer Affairs and Business Regulation, the Office of the Attorney General, or any other law enforcement entity regarding the use of the of the patron's Confidential Information and Personally Identifiable Information;
- ~~(+)~~(i) For ~~Confidential Information and Personally Identifiable Information~~ collected directly from the patron, whether there is a legal or contractual obligation to provide the Confidential Information and Personally Identifiable Information and the consequences of not providing that information;
- ~~(+)~~(j) Where applicable, information on the Sports Wagering Operator's use of automated decision-making, including profiling, and at least in those cases, without hindering compliance with other legal obligations:
  1. Sufficient insight into the logic of the automated decision-making;
  2. The significance and the envisaged consequences of such processing for the patron; and
  3. Safeguards in place around solely automated decision-making, including information for a patron on how to contest the decision and to require direct human review or intervention.

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248.07: Account Access

- (1) Upon opening a Sports Wagering Account, the Sports Wagering Operator shall allow each patron to establish a password to be used in conjunction with a username, or an alternative secure authentication credential, for use by the patron to assure that only the patron has access to the Sports Wagering Account. The Operator may make more than one permitted method of authentication available for a patron to access their account.

- (2) If the system does not recognize the authentication credentials when entered, an explanatory message shall be displayed to the patron which prompts the patron to try again. The error message shall be the same regardless of which authentication credential is incorrect.
- (3) Patrons must be given the option to use a multi-factor authentication process when accessing their account. In addition, a multi-authentication process shall be employed for the retrieval or reset of a patron's forgotten or lost authentication credentials.
- (4) Current account balance information, including any restricted wagering credits and unrestricted funds, and transaction options shall be available to the patron once the patron has been authenticated. All restricted wagering credits and unrestricted funds that may expire shall be identified separately.
- (5) The Operator shall employ a mechanism allowing for an account to be locked in the event that suspicious authentication activity is detected, including (but not limited to) three consecutive failed access attempts in a thirty-minute period. A multi-factor authentication process shall be employed for the account to be unlocked.

248.08: Sufficient Account Balance

Wagers and withdrawals will not be accepted which would cause the available balance of a Sports Wagering Account to fall below \$0. Any account not updated when a transaction is completed shall be inoperable until the transaction is posted and the account balance updated.

248.09: Financial Transactions

Operators shall provide a patron written confirmation or denial of every financial transaction initiated using the patron's Sports Wagering Account, including:

- (a) The type of transaction (deposit/withdrawal);
- (b) The transaction value; and
- (c) For denied transactions, a descriptive message as to why the transaction did not complete as initiated.

248.10: Account Deposits

- (1) A Sports Wagering Account may be funded using approved methods which shall produce a sufficient audit trail for verification of the source of the wagers.
- (2) Approved methods for funding Sports Wagering Accounts include:
  - (a) Cash or cash equivalents;
  - (b) Foreign currency and coin converted to US currency;
  - (c) Digital, crypto and virtual currencies converted to cash;

- (d) Electronic funds transfers (EFTs), including online and mobile payment systems;
  - (e) Debit instruments, including debit cards and prepaid access instruments;
  - (f) Promotional Gaming Credits;
  - (g) Sports Wager Payouts;
  - (h) Adjustments made by the Sports Wagering Operator with documented notification to the patron; and
  - (i) Any other means approved by the Commission or its designee.
- (3) No deposits may be made by credit card, either directly or indirectly, including without limitation through an account funded by credit card, and no Wagering on credit is allowed.
- (4) The Sports Wagering Account shall be credited for any deposit in accordance with the system of internal controls submitted by a Sports Wagering Operator in accordance with 205 CMR 238.
- (5) The proceeds of a check may first need banker's clearance. Holding periods will be determined by the Sports Wagering Operator and communicated to the patron.
- (6) For debit cards and EFTs, the patron may be liable for any charges imposed by the transmitting or receiving Sports Wagering Operator. Such charges may be deducted from the patron's Sports Wagering Account.

248.11: Failed Electronic Funds Transfers (EFTs)

- (1) The Sports Wagering Operator shall have security measures and controls to prevent EFT fraud where financial transactions are conducted through EFT. A failed EFT attempt is not considered fraudulent if the patron has successfully performed an EFT on a previous occasion and has no outstanding chargebacks. Otherwise, the Sports Wagering Operator shall:
- (a) Temporarily block the patron's Sports Wagering Account for investigation of fraud after five (5) consecutive failed EFT attempts within a ten-minute period. If there is no evidence of fraud, the block may be vacated; and
  - (b) Suspend the patron's Sports Wagering Account after five (5) additional consecutive failed EFT attempts within any subsequent ten-minute period.

248.12: Account Withdrawals

- (1) The Sports Wagering Operator shall implement procedures that:
- (a) Prevent unauthorized withdrawals from Sports Wagering Accounts by the Sports Wagering Operator or others;
  - (b) Establish a protocol by which patrons can withdraw funds maintained in their Sports Wagering Accounts, whether such accounts are open or closed,

except as otherwise provided in 205 CMR, or any other applicable state, local or federal law.

- (2) Pursuant to M.G.L. c. 23N, § 4(d)(2)(vi), a patron must be allowed to withdraw the funds maintained in his or her Sports Wagering Account, without further solicitation or promotion, in the manner in which the funds were deposited.
- (3) A Sports Wagering Operator must employ a mechanism that can detect and prevent any withdrawal activity initiated by a patron that would result in a negative balance of the Sports Wagering Account.
- (4) A Sports Wagering Operator shall not allow a Sports Wagering Account to be overdrawn unless caused by payment processing issues outside the control of the Sports Wagering Operator.
- (5) Except as otherwise provided in 205 CMR 248.12(5)(a), requests for withdrawals must be honored by the later of five (5) business days of the request or ten (10) business days of submission of any tax reporting paperwork required by law.
  - (a) If the Sports Wagering Operator believes in good faith that the patron engaged in either fraudulent conduct or other conduct that violate or would put the Sports Wagering Operator in violation of 205 CMR, the Sports Wagering Operator may decline to honor the request for withdrawal for a reasonable investigatory period until its investigation is resolved if it provides notice of the nature of the investigation to the patron.
  - (b) For purposes of the timing requirements of 205 CMR 248.12(5), a request for withdrawal will be considered honored if it is processed by the Sports Wagering Operator but delayed by a payment processor, debit card issuer or by the custodian of a financial account.
- (6) The Sports Wagering Operator shall not be liable for any unauthorized withdrawal of funds from a Sports Wagering Account where such unauthorized withdrawal is not caused by the negligence or misconduct of the Sports Wagering Operator. It is the patron's responsibility to protect deposits in the account by keeping their authentication credentials strictly confidential.

#### 248.13: Account Adjustments

The Sports Wagering Operator shall perform periodic reviews of all adjustments to Sports Wagering Accounts for amounts of five hundred dollars or less by supervisory personnel. All adjustments of more than five hundred dollars must be authorized by supervisory personnel before being entered.

#### 248.14: Account Credits

When a Sports Wagering Account is entitled to a payout or refund, said monies will be credited to the respective account, thus increasing the credit balance. It is the responsibility of the patron to verify their balance and notify the Sports Wagering Operator of any discrepancy or dispute within



the time frame specified in the terms and conditions. Unresolved disputes may be forwarded to the Commission by the Sports Wagering Operator or the patron. The Commission will consider no such claim unless submitted in writing and accompanied by supporting evidence.

#### 248.15: Account Records and Statements

The Sports Wagering Operator must maintain complete records of every deposit, withdrawal, wager, and payout for each Sports Wagering Account. In accordance with M.G.L. c. 23N, § 4(d)(2)(iv), upon request of the patron, the Sports Wagering Operator shall offer patrons access to a statement detailing their account history and account details for the past year.

#### 248.16: Responsible Gaming Limits

- (1) In accordance with M.G.L. c. 23N, § 13(e)(3), a Category 3 Sports Wagering Operator shall allow the patron to set self-imposed limitations on sports wagering at any time, including when the patron signs up for a Sports Wagering Account. Such limitations must include the following and must be clearly and conspicuously displayed prior to allowing registration of a new account, the first time a patron makes a deposit into an account, and the first time the patron places a [wager](#) from an account:
  - (a) The Operator must offer daily, weekly and monthly deposit limits, which shall specify the maximum amount of money a patron may deposit into ~~his or her~~ [their](#) Sports Wagering Account during ~~a particular~~ [a particular](#) period of time.
  - (b) The Operator must offer daily, weekly and monthly wager limits, which shall specify the maximum amount of patron funds that may be put at risk during a particular period of time.
- (2) Any decrease to these limits shall be effective immediately or at a point in time (e.g., next login, next day) that was clearly indicated to the patron. Any increase to these limits shall become effective only after the time period of the previous limit has expired, and the patron reaffirms the requested increase.

#### 248.17: Account Suspension and Restoration

- (1) A Sports Wagering Account shall be suspended under the following conditions:
  - (a) When requested by the patron for a specified period of time, which must not be less than seventy-two hours;
  - (b) When required by the Commission;
  - (c) When a Sports Wagering Operator determines that the patron is a prohibited Person; or
  - (d) When a Sports Wagering Operator has evidence that indicates any of the following:
    1. That the account has been used for illegal activity;

2. That the account has a negative balance; or
  3. That the patron has violated the account's terms and conditions.
- (2) When a Sports Wagering Account is suspended, the Sports Wagering Operator must do all of the following:
- (a) Prevent the patron from placing Sports Wagers;
  - (b) Prevent the patron from depositing funds unless the account is suspended due to having a negative Sports Wagering Account balance, but only to the extent the account balance is brought back to zero dollars;
  - (c) Prevent the patron from withdrawing funds from a Sports Wagering Account, unless the Sports Wagering Operator determines that the funds have cleared, and that the reason(s) for suspension would not prohibit a withdrawal;
  - (d) Prevent the patron from making changes to his or her Sports Wagering Account;
  - (e) Prevent the patron from permanently closing their Sports Wagering Account; and
  - (f) Prominently display to the patron that the Sports Wagering Account is suspended, the restrictions placed on the Sports Wagering Account, any further course of action needed to lift the suspension, a notification of the Patron's rights under the Operator's House Rules and Internal Controls to submit a complaint, and directions on how to file such a complaint.
- (3) A suspension may be lifted for any of the following reasons:
- (a) Upon expiration of the time period established by the patron;
  - (b) If authorized by the Commission;
  - (c) When the patron is no longer a prohibited Person; or
  - (d) When the Sports Wagering Operator has investigated the evidence of illegal activity, a negative account balance, or a violation of the account's terms and conditions, and determined that the suspension should be lifted.
- (4) Each Sports Wagering Operator shall, on a monthly basis, provide the Commission with a list of suspended accounts, including the reasons why the account is in suspended mode, and an explanation of the lifting of any suspension under 205 CMR 248.17(3)(d).

#### 248.18: Account Closure

The Sports Wagering Operator shall permit a patron to permanently close a Sports Wagering Account registered to the patron on any or all platforms owned or operated by the Sports Wagering Operator at any time and for any reason unless the account is in suspended mode pursuant to 205 CMR 248.17. The Sports Wagering Operator may also close a Sports Wagering Account when the

patron makes repeated attempts to operate with an insufficient balance. Upon closing an account, the Sports Wagering Operator shall refund the remaining balance to the patron within five business days, provided that the Sports Wagering Operator acknowledges that the funds have cleared.

248.19: Abandoned Funds and Dormant Accounts

- (1) Subject to the provisions of M.G.L. c. 200A, §§ 7 and 8A, and 960 CMR 4.00: *Procedures for the Administration of Abandoned Property*, the Sports Wagering Operator shall presume that the funds in any account without any activity for a period of three years after the balance in that account became payable or deliverable to the patron to have been abandoned. For purposes of this 205 CMR 248.19(1), the term “activity” means Sports Wagers, customer-generated deposits, or customer-generated withdrawals.
- (2) The Sports Wagering Operator shall report and deliver all Sports Wagering Accounts presumed abandoned to the Treasurer of the Commonwealth as provided for by M.G.L. c. 200A, §§ 7 and 8A, and 960 CMR 4.03: *Reporting Abandoned Property*.
- (3) Subject to M.G.L. c. 200A, 7A and 960 CMR 4.03: *Reporting Abandoned Property*, at least 60 days prior to reporting any Sports Wagering Accounts to the Treasurer, the Sports Wagering Operator shall provide notice to the patron’s last known address and conduct reasonable due diligence to locate the patron. During this time period the account shall be deemed dormant. In addition, the Operator shall:
  - (a) Allow access to a dormant account only after performing additional identity verifications; and
  - (b) Protect dormant accounts that contain funds from unauthorized access, changes or removal.

REGULATORY AUTHORITY

M.G.L. c. 23N, §§ 4, 11 and 13; M.G.L. c. 200A, §§ 7 and 8A



## **SMALL BUSINESS IMPACT STATEMENT**

The Massachusetts Gaming Commission (“Commission”) hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2, relative to the proposed amendment of **205 CMR 248 SPORTS WAGERING ACCOUNT MANAGEMENT**.

This regulation was amended as part of the process of promulgating regulations governing sports wagering in the Commonwealth, and is primarily governed by G.L. c. 23N, §4. These amendments are intended to incorporate standards regarding the safeguarding and protection of confidential and personally identifiable patron account information.

The regulation applies to potential sports wagering operators and the Commission. Accordingly, this regulation is unlikely to have an impact on small businesses. Under G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

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

This regulation is unlikely to have an impact on small businesses.

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

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

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

No standards applicable to small businesses are set forth. Provided standards are performance standards.

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

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

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



Massachusetts Gaming Commission

This amendment is unlikely to have any impact on the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission  
By:

/s/ Caitlin Monahan  
Caitlin Monahan, Deputy General Counsel

Dated: May 25, 2023

DRAFT



Massachusetts Gaming Commission



*Sports Wagering Division*

TO: Chair Cathy Judd-Stein  
Commissioner Bradford R. Hill  
Commissioner Jordan Maynard  
Commissioner Eileen M. O'Brien  
Commissioner Nakisha L. Skinner

FROM: Sterl Carpenter – Sports Wagering Operations Manager

CC: Karen Wells – Executive Director  
Bruce Band – Sports Wagering Division Director

DATE: May 24, 2023

RE: Petition for approving a new Sporting Event or Wager category

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Under 205 CMR 247.03 <https://www.mass.gov/doc/205-cmr-247-uniform-standards-of-sports-wagering/download> section (1) states (1) Any Person may petition the Commission for approval of a new Sporting Event or Wager Category. Prior to this memo being discussed the commission will decide whether a change from 'any person' to 'any operator' is preferred going forward.

**EXECUTIVE SUMMARY:**

If it was decided to change the regulation to 'Any operator' the Sports Wagering Division will bring **Form A** up for review.

If it was decided to keep the regulation the same the Sports Wagering Division will bring **Form B** up for review.

**CONCLUDING STATEMENT:**

The division would request to move forward with the appropriate version of the petition at the conclusion of this discussion.



## MASSACHUSETTS GAMING COMMISSION

# PETITION FOR A SPORTING EVENT OR WAGER CATEGORY

*In accordance with 205 CMR 247.03*

### **Directions:**

Please fill out and address all areas of the form. If an area does not apply to the request, please place 'NA' in the section. Each section will extend to accommodate large answers. If needed, one may attach additional documents. Please make sure any attachments reference the relevant section and number in their title.

### **BACKGROUND**

NAME OF OPERATOR(S) PETITIONING:

REQUESTING A SPORTS WAGERING EVENT OR WAGERING CATEGORY: Choose an item.

NAME OF EVENT OR WAGERING CATEGORY:

IS THIS A VARIATION OF AN AUTHORIZED SPORTING EVENT OR WAGER CATEGORY? Choose an item.

IS THIS A COMPOSITE OF AUTHORIZED SPORTING EVENTS OR WAGER CATEGORIES? Choose an item.

IS THIS A NEW SPORTING EVENT OR WAGER CATEGORY?: Choose an item.

WEBSITE LINK FOR THE EVENT AND/OR GOVERNING BODY:

### **A COMPLETE AND DETAILED DESCRIPTION OF THE SPORTING EVENT OR WAGER CATEGORY FOR WHICH APPROVAL IS SOUGHT**

1. A summary of the Sporting Event or Wager Category and the manner in which Sports Wagers would be placed and winning Sports Wagers would be determined.
2. A draft of the proposed House Rules, including a description of any technology that would be utilized to offer Sports Wagering on the Sporting Event or Wager Category.
3. Any rules or voting procedures related to the Sporting Event or Wager Category.
4. Assurance that the Sporting Event or Wager Category meets the requirements of 205 CMR 247.03(4) (*details are required in the minimum criteria section below*).
5. Whether and to what extent the outcome of the Sporting Event or Wager Category is determined solely by chance.



**IF THE PROPOSED SPORTING EVENT OR WAGER CATEGORY IS BASED ON ESPORTS ACTIVITIES, PLEASE ANSWER THE FOLLOWING QUESTIONS**

1. The proposed location(s) of the eSports event(s).
2. The video game used for the eSports event, including, without limitation, the publisher of the video game.
3. The eSports event operator, whether the eSports event operator is approved to host events by the video game publisher, and whether the eSports event operator has any affiliation with the video game publisher.
4. The manner in which the eSports event is conducted by the eSports event operator, including, without limitation, eSports event rules and certification from a third party, such as an eSports event operator or the game publisher, that the eSports event meets the Commission's event integrity requirements.

**POLICIES AND PROCEDURES REGARDING EVENT INTEGRITY**

To the extent known by the operator(s), please provide a description of policies and procedures regarding event integrity.





### MINIMUM CRITERIA

1. Can the outcome of the Sporting Event or Wager Category be verified? If yes, explain the verification process.
2. Is the Sporting Event generating the outcome conducted in a manner that ensures sufficient integrity controls exist so the outcome can be trusted? Please explain.
3. Is the outcome likely to be affected by any Sports Wager placed? Please explain.
4. Is the Sporting Event conducted in conformity with all applicable laws? Please explain.

THE COMMISSION WILL CONSIDER THE REQUEST, ALL PROVIDED MATERIALS, AND ANY RELEVANT INPUT FROM THE SPORTS GOVERNING BODY OR THE CONDUCTOR OF THE SPORTING EVENT PRIOR TO AUTHORIZING A SPORTING EVENT OR WAGER CATEGORY.

NAME OF SPORTS GOVERNING BODY:

HAS THE SPORTS GOVERNING BODY BEEN INFORMED OF THIS REQUEST? Choose an item.

IF THERE IS NO SPORTS GOVERNING BODY, NAME THE ENTITY THAT CONDUCTS THE SPORTING EVENT:

HAS THE ENTITY THAT CONDUCTS THE SPORTING EVENT BEEN CONTACTED REGARDING THIS REQUEST?

HAS ANY RELEVANT PLAYER'S ASSOCIATION BEEN INFORMED OF THIS PETITION? Choose an item.



IF ANY OF THE ABOVE ENTITIES HAVE BEEN CONTACTED, PLEASE PROVIDE ADDITIONAL  
DETAIL BELOW, INCLUDING BUT NOT LIMITED TO WHEN THE ENTITIES WERE INITIALLY  
CONTACTED ABOUT THE REQUEST ANY COMMENTS OR INPUT PROVIDED BY THE ENTITIES:

**SIGNATURE AND INFORMATION**

*I swear or attest under the pains and penalties of perjury that the information provided as part of this request  
for a hearing is true and accurate to the best of my knowledge and understanding.*

\_\_\_\_\_  
Signature of individual requesting new event/wager

\_\_\_\_\_  
Date

[If this request is submitted via email, it may be signed electronically by typing the petitioner's name on the  
signature line above. In that case, the 'signature' must be preceded by /s/ (e.g.- /s/ John S. Doe). Use of an  
electronic signature permits the Commission to rely upon the signature as if it were handwritten.]

Please submit this request and any attachments to the Massachusetts Gaming Commission via email at:  
[mgcsportswagering@massgaming.gov](mailto:mgcsportswagering@massgaming.gov)





## MASSACHUSETTS GAMING COMMISSION

# PETITION FOR A SPORTING EVENT OR WAGER CATEGORY

*In accordance with 205 CMR 247.03*

### **Directions:**

Please fill out and address all areas of the form. If an area does not apply to the request, please place 'NA' in the section. Each section will extend to accommodate large answers. If needed, one may attach additional documents. Please make sure any attachments reference the relevant section and number in their title.

### **BACKGROUND**

NAME OR ENTITY PETITIONING:

ADDRESS OF PETITIONER(S):

REQUESTING A SPORTS WAGERING EVENT OR WAGERING CATEGORY: Choose an item.

NAME OF EVENT OR WAGERING CATEGORY:

IS THIS A VARIATION OF AN AUTHORIZED SPORTING EVENT OR WAGER CATEGORY? Choose an item.

IS THIS A COMPOSITE OF AUTHORIZED SPORTING EVENTS OR WAGER CATEGORIES? Choose an item.

IS THIS A NEW SPORTING EVENT OR WAGER CATEGORY?: Choose an item.

IF THE PETITION IS FROM AN ENTITY OTHER THAN A LICENSED SPORTS WAGERING OPERATOR, IS THERE AN OPERATOR WHO IS INTERESTED IN OFFERING THIS EVENT OR WAGER CATEGORY? IF SO, WHICH OPERATOR(S)?

WEBSITE LINK FOR THE EVENT AND/OR GOVERNING BODY:

### **A COMPLETE AND DETAILED DESCRIPTION OF THE SPORTING EVENT OR WAGER CATEGORY FOR WHICH APPROVAL IS SOUGHT**

1. A summary of the Sporting Event or Wager Category and the manner in which Sports Wagers would be placed and winning Sports Wagers would be determined.
2. A draft of the proposed House Rules, including a description of any technology that would be utilized to offer Sports Wagering on the Sporting Event or Wager Category.
3. Any rules or voting procedures related to the Sporting Event or Wager Category.



4. Assurance that the Sporting Event or Wager Category meets the requirements of 205 CMR 247.03(4) (*details are required in the minimum criteria section below*).
5. Whether and to what extent the outcome of the Sporting Event or Wager Category is determined solely by chance.

**IF THE PROPOSED SPORTING EVENT OR WAGER CATEGORY IS BASED ON ESPORTS ACTIVITIES, PLEASE ANSWER THE FOLLOWING QUESTIONS**

1. The proposed location(s) of the eSports event(s).
2. The video game used for the eSports event, including, without limitation, the publisher of the video game.
3. The eSports event operator, whether the eSports event operator is approved to host events by the video game publisher, and whether the eSports event operator has any affiliation with the video game publisher.
4. The manner in which the eSports event is conducted by the eSports event operator, including, without limitation, eSports event rules and certification from a third party, such as an eSports event operator or the game publisher, that the eSports event meets the Commission's event integrity requirements.

**POLICIES AND PROCEDURES REGARDING EVENT INTEGRITY**

To the extent known by the petitioner(s), please provide a description of policies and procedures regarding event integrity.



### MINIMUM CRITERIA

1. Can the outcome of the Sporting Event or Wager Category be verified? If yes, explain the verification process.
2. Is the Sporting Event generating the outcome conducted in a manner that ensures sufficient integrity controls exist so the outcome can be trusted? Please explain.
3. Is the outcome likely to be affected by any Sports Wager placed? Please explain.
4. Is the Sporting Event conducted in conformity with all applicable laws? Please explain.

THE COMMISSION WILL CONSIDER THE REQUEST, ALL PROVIDED MATERIALS, AND ANY RELEVANT INPUT FROM THE SPORTS GOVERNING BODY OR THE CONDUCTOR OF THE SPORTING EVENT PRIOR TO AUTHORIZING A SPORTING EVENT OR WAGER CATEGORY.

NAME OF SPORTS GOVERNING BODY:

ARE YOU THE SPORTS GOVERNING BODY? Choose an item.

HAS THE SPORTS GOVERNING BODY BEEN INFORMED OF THIS REQUEST? Choose an item.

IF THERE IS NO SPORTS GOVERNING BODY, NAME THE ENTITY THAT CONDUCTS THE SPORTING EVENT:

ARE YOU THE ENTITY THAT CONDUCTS THE SPORTING EVENT?:

HAS THE ENTITY THAT CONDUCTS THE SPORTING EVENT BEEN CONTACTED REGARDING THIS REQUEST?



HAS ANY RELEVANT PLAYER'S ASSOCIATION BEEN INFORMED OF THIS PETITION? Choose an item.

IF ANY OF THE ABOVE ENTITIES HAVE BEEN CONTACTED, PLEASE PROVIDE ADDITIONAL DETAIL BELOW, INCLUDING BUT NOT LIMITED TO WHEN THE ENTITIES WERE INITIALLY CONTACTED ABOUT THE REQUEST ANY COMMENTS OR INPUT PROVIDED BY THE ENTITIES:

### **SIGNATURE AND INFORMATION**

*I swear or attest under the pains and penalties of perjury that the information provided as part of this request for a hearing is true and accurate to the best of my knowledge and understanding.*

\_\_\_\_\_  
Signature of individual requesting new event/wager

\_\_\_\_\_  
Date

[If this request is submitted via email, it may be signed electronically by typing the petitioner's name on the signature line above. In that case, the 'signature' must be preceded by /s/ (e.g.- /s/ John S. Doe). Use of an electronic signature permits the Commission to rely upon the signature as if it were handwritten.]

Please submit this request and any attachments to the Massachusetts Gaming Commission via email at:  
[mgcsportswagering@massgaming.gov](mailto:mgcsportswagering@massgaming.gov)





*Sports Wagering Division*

TO: Chair Cathy Judd-Stein  
Commissioner Bradford R. Hill  
Commissioner Jordan Maynard  
Commissioner Eileen M. O'Brien  
Commissioner Nakisha L. Skinner

FROM: Sterl Carpenter – Sports Wagering Operations Manager

CC: Karen Wells – Executive Director  
Bruce Band – Sports Wagering Division Director

DATE: May 31, 2023

RE: Update to licensee's house rules

---

Under 205 CMR 247.02(4) <https://www.mass.gov/doc/205-cmr-247-uniform-standards-of-sports-wagering/download> the Commission reviews all changes proposed by a licensee to their house rules. A Sports Wagering Operator shall not change or modify the House Rules without the prior written approval of the Commission. Failure by an Operator to act in accordance with its House Rules may result in disciplinary action.

**EXECUTIVE SUMMARY:**

DraftKings has re-submitted its language for the addition of credit language in their Methods of Funding a Wager section.

The total change is as follows:

DraftKings:

Page 15. Section 9.

**9. Methods of Funding a Wager**

Sports Wagers may be funded through multiple options, including, without limitation, customer deposits and site/promotional credits. Deposits can be made through Debit Cards, Online Banking, PayPal, Play+ Cards, Bank Wire Transfers, Cash at Retail, and approved Gift Cards, and may include any other method approved by the Massachusetts Gaming Commission. In no event may a Massachusetts account be funded through a form of credit.

**CONCLUDING STATEMENT:**



*Sports Wagering Division*

The division confirms that all requirements have been met under 205 CMR 247.02 and the Sports Wagering Division has no reservations about moving forward on approving this change.





TO: Chair Judd-Stein, Commissioners O'Brien, Hill, Skinner, and Maynard

FROM: Mark Vander Linden, Director of Research and Responsible Gaming,  
Bonnie Andrews, Research Manager

CC: Karen Wells, Executive Director

DATE: June 1, 2023

RE: Patron and License Plate Survey Report: Encore Boston Harbor 2022

---

The Massachusetts Gaming Commission has an Interagency Service Agreement (ISA) with the University of Massachusetts, Amherst to carry out social and economic research as defined in [Chapter 23k Section 71](#). Since 2013, the team of researchers, collectively known as Social and Economic Impacts of Gambling in Massachusetts (SEIGMA), has produced a range of studies to inform the Commission and stakeholders about the impacts resulting from the introduction of casinos in the Commonwealth. A complete library of this research can be found on the MGC website: <https://massgaming.com/about/research-agenda/>.

The original research plan for the SEIGMA study identified the need for ongoing patron surveys at all of the newly licensed casinos in the state. Patron surveys establish the demographic characteristics of people patronizing the casinos, which speaks to whether certain subgroups of the population are impacted more than others; establish the geographic origin of patrons to identify whether the impacts are localized or regional and the extent to which out-of-state patrons contribute to casino revenue; and helps in understanding patrons' patterns of expenditure and the approximate amount of off-site spending contributing to the local economy.

Asking patrons whether they would have gambled out-of-state if Encore Boston Harbor did not exist allows identification of the approximate amount of recaptured spending. Survey questions also establish the degree to which casino spending represents money that has been reallocated from other sectors of the economy. Finally, patron surveys are useful in understanding patrons' perceptions and experiences with the new venues and begin to track the impact of responsible gambling measures. The license plate survey assesses the accuracy of prior estimates of out-of-state casino expenditure and provides corroborating information about patron origins.

This report presents the results of the first patron survey at Encore Boston Harbor (EBH), completed in 2022. Findings include insights on demographics of casino visitors, behavior, and expenditures. Spending of MA residents that has been recaptured from out of state appears to constitute a major share of EBH's revenues, though not all represents new economic activity. An important social issue concerns whether people with lower incomes contribute disproportionately more to gambling revenues than people with higher incomes; this does not appear to be the case at EBH.

Attached are the final report, the research snapshot, and the presentation.



Massachusetts Gaming Commission

# MGC Research Snapshot

## Patron and License Plate Survey Report: Encore Boston Harbor 2022

April 2023

### What you need to know

This report presents the results of the first patron survey at Encore Boston Harbor (EBH), completed in 2022. Findings include insights on demographics of casino visitors, behavior, and expenditures. Spending of MA residents that has been recaptured from out of state appears to constitute a major share of EBH's revenues, though not all represents new economic activity. An important social issue concerns whether people with lower incomes contribute disproportionately more to gambling revenues than people with higher incomes; this does not appear to be the case at EBH.

### What is this research about?

The original research plan for the Social and Economic Impacts of Gambling in Massachusetts (SEIGMA) study identified the need for ongoing patron surveys at all of the newly licensed casinos in the state. Patron surveys establish the demographic characteristics of people patronizing the casinos, which speaks to whether certain subgroups of the population are impacted more than others; establish the geographic origin of patrons to identify whether the impacts are localized or regional and the extent to which out-of-state patrons contribute to casino revenue; and helps in understanding patrons' patterns of expenditure and the approximate amount of off-site spending contributing to the local economy.

Asking patrons whether they would have gambled out-of-state if Encore Boston Harbor did not exist allows identification of the approximate amount of recaptured spending. Survey questions also establish the degree to which casino spending represents money that has been reallocated from other sectors of the economy. Finally, patron surveys are useful in understanding patrons' perceptions and experiences with the new venues and begin to track the impact of responsible gambling measures. The license plate survey assesses the accuracy of prior estimates of out-of-state casino expenditure and provides corroborating information about patron origins.

### What did the researchers do?

Researchers from the SEIGMA team attempted to capture as representative a sample as possible by conducting the survey 6 to 12 months after the venue opened to allow

patronage to settle; spreading each data collection period over a two-week time period; sampling during peak and non-peak days and times; and keeping track of the demographics of patron refusals to allow for corrective weighting. However, due to the pandemic, the Encore Boston Harbor Patron Survey was delayed and instead fielded in a two-week period in April 2022. It was self-administered and took an average of 5-10 minutes to complete. A total of 440 surveys were collected, which represents a response rate of 15.4%. The sample was weighted to be as representative as possible of regular gamblers who contribute to casino patronage and revenue.

A two-person team conducted license plate counts of all guest parking areas during the same time periods and days that the patron survey was being administered. The survey was done exclusively in the attached raised parking garage structure at the casino, and no counts were made for buses, as none were parked on site. The data were then weighted according to the day of the week data was collected.

### What did the researchers find?

Findings include insights on demographics of casino visitors, gambling and non-gambling behavior, and expenditures:

#### Demographics

- Of those surveyed, 78.3% of the respondents were from Massachusetts (MA), with 41.8% coming from the host (Everett) and surrounding (Boston, Cambridge, Chelsea, Saugus, Lynn, Malden, Medford, Melrose, and Somerville) communities, and 21.8% from out of state.
- A higher percentage of MA respondents were from certain



groups (males, people ages 35-54, people with yearly household incomes \$50,000-\$100,000 per year) compared to the general population in MA.

- Overall, the survey found that 55.0% of patrons were white, 24.9% were Asian, 8.3% were black, and 7.6% were Hispanic. Notably, the number of Asian patrons from Massachusetts (24.3%) was higher compared to their prevalence in the adult population of Massachusetts (7.1%).
- A lower percentage of MA respondents were from certain groups (females, people with less than a high school education, people with household income >\$100,000 per year) than in the MA population overall. Those who did not report gender may impact this analysis.
- Fewer respondents from the host and surrounding communities reported incomes of >\$100,000/year (35.3%) than patrons from elsewhere in MA (43.8%) or those outside of MA (44.9%).

### Gambling and Non-Gambling Behavior

- Of those surveyed, 57.2% were regular visitors (defined as visiting 2-3 times a month or more), with 43.3% visiting once a week or more. The percentage for visiting once a week or more was higher (58.1%) for those coming from the host and surrounding communities.
- Almost one-third of respondents (30.1%) had not visited another casino in the past year, which is much higher than seen in prior patron surveys (MGM Springfield 11.7% and Plainridge Park Casino 10.8%); at least part of this difference may have been due to the COVID-19 pandemic.
- EBH was the motivator for 66.9% of all respondents (70.2% of respondents from MA) to visit the area, and the motivator for 54.7% of respondents from out of state to visit the state.
- Almost 9 in 10 respondents (89.2%) participated in some sort of gambling activity during their visit. Slot machines were the most popular game (62.7%) although 37.7% reported playing table games. Just over one in 10 (10.8%) of respondents overall, 6.7% from the host and surrounding communities, 13.6% from other MA municipalities, and 13.8% respondents from outside of the state did not gamble during this visit.
- Just over one in five (20.6%) of the respondents did not report any spending on non-gambling activities at EBH, and 29.5% did not report any spending on non-gambling activities outside of EBH.

### Expenditures

- Relative to their prevalence in the population, the highest-income group contributes proportionally more gambling revenue with the lower middle-income groups contributing proportionally less.
- Spending of MA residents that has been recaptured from out of state appears to constitute a major share of EBH's revenues, though not all represents new economic activity.
- An important social issue concerns whether people with lower incomes contribute disproportionately more to gambling revenues than people with higher incomes. This does not appear to be the case at Encore Boston Harbor:
  - Of the MA respondents who spent money gambling at EBH, the 14% with the lowest household incomes (less than \$30,000 per year) was roughly the same as their prevalence in the general adult population of MA (13%), and they represented just 10% of the gambling spending.

## About the researchers

Laurie Salame, Robert J. Williams, Martha Zorn, Thomas Peake, Valerie Evans, and Rachel Volberg are with the Social and Economic Impacts of Gambling in Massachusetts (SEIGMA) study. For more information about this report, please contact Laurie Salame at [lsalame@isenberg.umass.edu](mailto:lsalame@isenberg.umass.edu).

- The 39.3% of Massachusetts respondents with the highest incomes (over \$100,000) accounted for 56% of the gambling spending and similarly represent 53.6% of the state's adult population.

When looking at all strategies employed to keep gambling within personal affordable limits, avoiding the on-site ATM was the most frequently reported (43.1%), followed by thinking of gambling as fun and not a way to make money (31.0%), and staying within a limit of how much to lose during a visit (29.5%). Almost two in three (64.8%) respondents reported a strong or modest impact of these strategies on their ability to play within their limits (72.0% for respondents in the host and surrounding communities).

The License Plate Survey found that estimates of patron residency corresponded quite closely to the patron survey estimates and produced an even closer match for estimated expenditure.

### Conclusions and Next Steps

The survey provides important data on patron demographics, expenditures, and gambling behavior, but does not lend itself to major conclusions. The findings presented here are critical to inform future more substantive and integrative SEIGMA reports.

### Citation

Salame, L., Williams, R.J., Zorn, M., Peake, T., Evans, V., & Volberg, R.A. (2023), Patron and License Plate Survey Report: Encore Boston Harbor 2022. Amherst, MA: School of Public Health and Health Sciences, University of Massachusetts Amherst.

<https://massgaming.com/about/research-agenda-search/?cat=economic-impact>

### Key Words

Economic Impact; Everett

### Acknowledgements

Financial support for this study comes from the Massachusetts Gaming Commission through the Public Health Trust Fund.

### About this Snapshot

MGC Snapshots are intended to translate lengthy and sometimes technical reports into an easily understandable overview of the research. The findings and recommendations in the Snapshot are those of the researchers and do not necessarily reflect the position of the MGC.



# PATRON AND LICENSE PLATE SURVEY REPORT: ENCORE BOSTON HARBOR 2022

This report presents the results of the first patron survey at Encore Boston Harbor, completed in 2022. Patron surveys have been an important part of the Massachusetts Gaming Commission's research agenda. These surveys provide the only data collected directly from casino patrons regarding their geographic origin and expenditures. These data are important to ascertain the influx of new revenues to the venue and the Commonwealth, and to measure any monies diverted from other sectors of the economy. The concurrent license plate survey assesses the accuracy of prior estimates of out-of-state casino expenditure and provides corroborating information about patron origins.

## **Authors**

**Laurie Salame**  
**Robert J. Williams**  
**Martha Zorn**  
**Thomas Peake**  
**Valerie Evans**  
**Rachel A. Volberg**

**March 28, 2023**

## Authorship

**Laurie Salame**, Senior Lecturer II, University of Massachusetts Amherst, Isenberg School of Management, Department of Hospitality and Tourism Management, is an Expert Advisor on the SEIGMA project and responsible for bridging the work of the social and economic teams in the development of the Patron Survey and report. Salame led the survey implementation, including training of surveyors and supervision in the field, as well as writing and editing the report.

**Robert J. Williams**, Professor, University of Lethbridge, Faculty of Health Sciences, is a Co-Principal Investigator on the SEIGMA project and provided oversight of the survey design, methods, implementation, and analysis of both the patron survey data and license plate survey data. He contributed to writing and editing the report.

**Martha Zorn**, SEIGMA Data Manager, University of Massachusetts Amherst, School of Public Health and Health Sciences, was responsible for data management, data cleaning, and data analysis and contributed to all sections of the report.

**Thomas Peake**, Senior Research Analyst, University of Massachusetts Donahue Institute, contributed to the design of the patron survey questionnaire, data analysis, and the expenditure portion of the report.

**Valerie Evans**, SEIGMA Project Manager, University of Massachusetts, Amherst School of Public Health and Health Sciences, is a biostatistician whose contributions included revisions, proofreading, and formatting of this report.

**Rachel A. Volberg**, Research Professor, University of Massachusetts, Amherst School of Public Health and Health Sciences, is the study Principal Investigator and responsible for the overall leadership of the project as well as oversight of the patron survey design, implementation, and analysis.

# Acknowledgements

Initial financial support for Social and Economic Impacts of Gambling in Massachusetts (SEIGMA) study came in 2013 from the Massachusetts Gaming Commission under ISA MGC10500003UMS15A. The multi-year project was competitively bid via the Massachusetts Gaming Commission Request for Response (MGC-RA-2012) for Research Services and awarded to the University of Massachusetts Amherst in April 2013. In June 2019 the Massachusetts Gaming Commission issued a subsequent Request for Response (BD-19-1068-1700-1-40973) for Research Services and the University of Massachusetts Amherst was awarded the contract effective January 2020.

We want to thank the management and staff of Encore Boston Harbor for allowing our teams to be on-site and for their assistance with our logistical needs. Their cooperation and ability to supply us with needed information ensured smooth data collection during our eight visits to the casino. Additionally, we appreciate the time and effort of the patrons who agreed to participate in the survey.

SEIGMA members from both the social and economic teams collaborated closely on the project, working together to create and implement the survey, and later to analyze the data and report on the findings contained in this report. Special recognition goes to the economic team at the University of Massachusetts Donahue Institute who contributed to the patron survey questionnaire design and provided insight in the data analysis: Rod Motamedi, Assistant Director; Rebecca Loveland, Senior Research Manager; and Thomas Peake, Senior Research Analyst. Special thanks to SEIGMA social team member Álvaro J. Castro Rivadeneira, M.D., a doctoral student in epidemiology at University of Massachusetts Amherst, who assisted with project planning as well as supervising surveyors in the field.

The project also received assistance from Micheal Havey, a student in Isenberg School of Management, Department of Hospitality and Tourism Management, who assisted with pre-collection administrative tasks, field work, and post-survey field data review. We would like to thank Headway Workforce Solutions, Inc., Research Division, for their efforts in recruiting the 42 surveyors who represented University of Massachusetts Amherst with professionalism and hospitality.

As always, we thank the Massachusetts Gaming Commission for their continued vision and guidance over the course of the SEIGMA project. The Commission's broad vision for the expansion of gambling in Massachusetts and commitment to the research needed to maximize the benefits and minimize the harms related to gambling in the Commonwealth made this project possible.

## Suggested Citation:

Salame, L., Williams, R.J., Zorn, M., Peake, T., Evans, V., & Volberg, R.A. (2023), *Patron and License Plate Survey Report: Encore Boston Harbor 2022*. Amherst, MA: School of Public Health and Health Sciences, University of Massachusetts Amherst.

**A PDF OF THIS REPORT CAN BE DOWNLOADED AT: [www.umass.edu/seigma](http://www.umass.edu/seigma)**



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# Executive Summary

The original research plan for the *Social and Economic Impacts of Gambling in Massachusetts* (SEIGMA) study identified the need for ongoing patron surveys at all of the newly licensed casinos in the state. These surveys serve several purposes. For one, they establish the demographic characteristics of people patronizing the casinos which speaks to whether certain subgroups of the population are impacted more than others. For another, they establish the geographic origin of patrons to identify whether the impacts are localized or regional and the extent to which out-of-state patrons contribute to casino revenue, an important economic benefit. Asking patrons directly about their gambling and non-gambling expenditures during casino visits also helps us understand their patterns of expenditure and the approximate amount of off-site spending contributing to the local economy. Questions about whether patrons would have gambled out-of-state if Encore Boston Harbor did not exist allow identification of the approximate amount of recaptured spending, which also represents an important economic benefit. Survey questions also establish the degree to which casino spending represents money that has been reallocated from other sectors of the economy. Finally, patron surveys are useful in understanding patrons' perceptions and experiences with the new venues and begin to track the impact of responsible gambling measures such as the GameSense program. Note that throughout this report, when we reference findings related to patrons, we are referring to findings related to the weighted information from and/or about the respondents to this survey.

Patron Surveys have now been done at all three Massachusetts casinos: Plainridge Park Casino (2016); MGM Springfield (2019); and Encore Boston Harbor (2022). Methodologically, a significant effort was made to capture a sample of patrons through venue exit surveys that was as representative as possible. This included: conducting the survey 6 to 12 months after the venue opened to allow patronage to settle; spreading each data collection period over a two week time period; sampling during both peak (Saturday) and non-peak (Monday) days, as well as during peak and non-peak times; and keeping track of the demographics of patron refusals to allow for corrective weighting. However, due to the pandemic, the Encore Boston Harbor Patron Survey was delayed and instead fielded in a two-week period in April 2022. It was self-administered and took an average of 5-10 minutes to complete. A total of 440 surveys were collected, which represents a response rate of 15.4%.

Now that patron surveys have been conducted at all three venues, it is unclear at this time if surveys will be repeated at these venues. We are investigating alternatives to the patron surveys due to their high cost, complex logistics, and limitations by reviewing their value relative to other methodologies (i.e., online panel surveys, smartphone surveys, and player card data) prior to implementing any new surveys of these venues and will release our findings as a technical report.

This report provides a *brief* comparison between the Patron Survey results of Plainridge Park Casino (2016), MGM Springfield (2019), and Encore Boston Harbor (2022). It is not intended to provide a complete comparison of all three Massachusetts casinos; a *detailed* comparison of the differences in the demographic characteristics, gambling behavior, and expenditures of patrons will be included in our future report, *Socioeconomic Impacts of Expanded Gambling in MA: 2024*. Still, this report does contain several comparisons of interest. For example, patrons at Encore Boston Harbor were somewhat younger, more likely to be employed, less likely to be retired, and had higher levels of education than patrons at MGM Springfield and Plainridge Park Casino.

## **Demographics**

Geographically, 78.3% of the patrons were from Massachusetts, with 41.8% coming from the host (Everett) and surrounding (Boston, Cambridge, Chelsea, Saugus, Lynn, Malden, Medford, Melrose, and Somerville)

communities, and the remainder from other Massachusetts municipalities. Out of state patrons accounted for 21.8%, and less than 1% were international patrons.

In looking at race/ethnicity, overall, the survey found that 55.0% of patrons were white, 24.9% were Asian, 8.3% were black, and 7.6% were Hispanic. Notably, the number of Asian patrons from Massachusetts (24.3%) is higher compared to their prevalence in the adult population of Massachusetts (7.1%).

Gender distribution at Encore Boston Harbor showed that 55.2% of the patrons were male and 38.3% of the patrons were female. If we look at patrons from Massachusetts only, we see a slightly higher percentage of males compared to the general population in Massachusetts (55.4% vs. 52.0%), with a significantly lower percentage of females (39.7% vs. 48.0%). The 6.5% of all patrons, and 4.9% of Massachusetts patrons, who preferred not to disclose their gender may impact this analysis. For patrons from Massachusetts, the greatest number of Encore Boston Harbor patrons were in the 35-54 age range (39.5%), a higher number than in the Massachusetts general population (31.1%). The number of patrons with less than a high school education (6.3%) was less than the Massachusetts general population (8.5%).

In terms of total yearly household income, 24.6% of all patrons reported incomes under \$50,000, which was similar for patrons from Massachusetts (24.2%) and the Massachusetts population (22.2%). The proportion of Massachusetts patrons earning \$50,000-\$100,000 (36.5%) was similar to all patrons (35.0%), but much higher when compared to the Massachusetts population (24.2%). The opposite was found for Massachusetts patrons earning over \$100,000 (39.3% and 40.4% of all patrons), a group that represents 53.6% of the Massachusetts population. When we further compare patron income by geographical origin, we see even fewer patrons from the host and surrounding communities reporting incomes of >\$100,000/year (35.3%) than patrons from other municipalities in Massachusetts (43.8%) or those outside of Massachusetts (44.9%).

### ***Gambling and Non-gambling Behavior***

When looking at visitation, we found that almost two-thirds (57.2%) of those surveyed were regular visitors (defined as visiting 2-3 times a month or more), with nearly half (43.3%) visiting once a week or more. The percentage for visiting once a week or more is even higher (58.1%) for those coming from the host and surrounding communities.

When looking at casino visitation among patrons, generally, it is interesting to note that almost a third of them (30.1%) had not visited another casino in the past year. This number is much higher than seen in prior patron surveys (MGM Springfield 11.7% and Plainridge Park Casino 10.8%). It is fair to assume that at least part of this difference may have been due to the COVID-19 pandemic. We also see a difference in other states where patrons visited casinos in the past year.

Most of the patrons got to Encore Boston Harbor by car (i.e., own or someone else's car, ride share) (94.3%), and experienced no problem getting there (90%), though many (63.7%) reported dealing with traffic. Nearly all patrons had an enjoyable visit and indicated they would return. Encore Boston Harbor was the motivator for 66.9% of patrons to visit the area, with a higher number for Massachusetts patrons (70.2%). Interestingly, just over half of patrons visiting from outside the state (54.7%) indicated the casino prompted their visit to Massachusetts.

A majority of the patrons (89.2%) participated in some sort of gambling activity during their visit. While overall 10.8% of patrons did not gamble during this visit, the number was lower for patrons from the host and surrounding communities (6.7%), and higher for those from other Massachusetts municipalities (13.6%) and patrons from outside of the state (13.8%).

Not surprisingly slot machines were the most popular game (62.7%) although just over a third of the patrons (37.7%) reported playing table games. Only 5.3% of the patrons reported purchasing lottery tickets while on site. Nearly three-quarters of the patrons (74.0%) reported having a casino loyalty or rewards card. Notably 69.9% indicated they had gambled at other casinos in the past year, with the most frequent locations being Connecticut (42.9%), Rhode Island (25.2%), and other gambling venues in Massachusetts (19.3%).

Although 20.6% of the patrons did not report any spending on non-gambling activities at Encore Boston Harbor, the majority bought food and beverage on site (68.1%). Other spending activities included staying in the hotel (17.8%), buying items in the retail or gift shops (16.1%), and other entertainment (13.8%). Nearly a third (29.5%) of the patrons did not report any spending on non-gambling activities outside of Encore Boston Harbor. The largest off-site spending was seen in attendance at an event, show, or exhibit (33.6%), with additional spending for off-site food or beverage (21.0%), bars, pubs, or nightclubs (11.3%), and retail shopping (9.8%).

### ***Expenditures***

During their visit, Encore Boston Harbor patrons reported a median expenditure of \$131 on gambling at the casino (mean of \$309), \$53 on non-gambling activities at the casino (mean of \$253), and \$95 on non-gambling activities outside the casino (mean of \$285). When looking at the expenditures by household income, income groups below the median household income in Massachusetts (i.e., \$70,000) account for 29.0% of Encore Boston Harbor gambling revenue, 27.0% of non-gambling revenue at Encore Boston Harbor, and 27.0% of non-gambling revenue outside of Encore Boston Harbor. The highest income group contributes proportionally more gambling revenue relative to their prevalence in the population, with the lower middle-income groups contributing proportionally less.

Two important goals of the Massachusetts casino law were to recapture Massachusetts residents' spending at out-of-state casinos and capture new spending from out-of-state casino patrons. Based on the survey results, recaptured in-state patrons accounted for nearly half (45.2%) of gambling spending and nearly two-thirds (64.4%) of estimated non-gambling spending at Encore Boston Harbor. Therefore, this group does appear to constitute a major share of Encore Boston Harbor's revenues. However, not all of this spending represents new economic activity to the state since the survey also found that nearly a quarter (24.3%) of Massachusetts residents' gambling spending was reallocated as casino patrons shifted their spending patterns from purchasing other goods and services in Massachusetts to spending money at Encore Boston Harbor.

An important social issue concerns whether people with lower incomes contribute disproportionately more to gambling revenues than people with higher incomes. This does not appear to be the case at Encore Boston Harbor. A fine-grained analysis of the Massachusetts patrons who spent money gambling at Encore Boston Harbor showed that the 14% of the patrons with the lowest household incomes (less than \$30,000 per year) was roughly the same as their prevalence in the general adult population of Massachusetts (13%), and they represented just 10% of the gambling spending. The 39.3% of Massachusetts patrons with the highest incomes (over \$100,000) accounted for 54% of the gambling spending and similarly represent 53.6% of the state's adult population.

Patrons were asked about strategies used to keep their gambling within personal affordable limits and how effective those strategies were. Avoiding the on-site ATM was the most frequently reported (43.1%), followed by thinking of gambling as fun and not a way to make money (31.0%), and staying within a limit of how much to lose during a visit (29.5%). When looking at all strategies employed, 64.8% of patrons reported a strong or modest impact (72.0% for patrons in the host and surrounding communities).

### ***License Plate Survey***

A license plate survey was conducted concurrently with the patron survey. Prior to casinos in Massachusetts, a similar survey was conducted biennially over many years at the Connecticut casinos and reported by the Northeastern Gaming Research Project. That information was used by Massachusetts policy makers and others to support the notion that Massachusetts lost significant gambling revenues to Connecticut. The current License Plate Survey found that estimates of patron residency corresponded quite closely to the patron survey estimates (i.e., 80.3% Massachusetts for license plates and 84.9% for patron survey). There was an even closer match for estimated expenditure (i.e., 80.3% for Massachusetts for license plates and 80.0% for patron survey). Thus, the Encore Boston Harbor license plate survey results provide a reasonable approximation to the patron survey and lend support to the estimates of out-of-state casino expenditures reported by the Northeastern Gaming Research Project. However, the patron survey also provides detailed spending information and patron demographics which cannot be obtained by a simple license plate survey.

The patron survey represents a major point of primary data collection for the SEIGMA project. However, as a stand-alone report, it should be viewed as just that: data collection. The survey provides important data on patron demographics, expenditures, and gambling behavior but does not lend itself to major conclusions. Nevertheless, the findings presented here are critical to inform other more substantive and integrative SEIGMA reports. This includes the “Economic Impacts” operating reports, which estimate the full economic impact of casino operations on the Massachusetts economy, a unique opportunity for SEIGMA to conduct economic modeling utilizing both primary data (from the patron survey and the casino operators) and secondary data (from multiple sources). Additionally, the patron survey data is one of many data points (primary and secondary) used to inform the “Social and Economic Impacts of Expanded Gambling in Massachusetts” reports, a series of reports that document changes in the social and economic landscape in Massachusetts that can potentially be attributed to the introduction of these new gambling venues. For that reason, the patron surveys serve an important function in the overall research agenda.

Interpretation of research data requires consideration of a variety of issues, including but not limited to decisions around sampling methods, weighting, statistical modeling, and appropriate comparisons. To ensure comparability across venues, the same analytic procedures were used to analyze Encore Boston Harbor patron survey data as were used to analyze Plainridge Park Casino and MGM Springfield patron survey data. There are inherent limitations to these applications that readers need to take into account in relation to any given study or report. For additional information, see the Methodology and Limitations sections in the full report.

# Patron Survey

## Introduction

The original SEIGMA research plan called for patron surveys to be conducted at all Massachusetts casinos shortly after opening and repeated at regular intervals. To that end, the first patron survey was conducted at Plainridge Park Casino in Plainville, Massachusetts in 2016, and the second at MGM Springfield in Springfield, Massachusetts in 2019. Reports on these surveys have already been released. (Salame, et al, 2017; Salame, et al, 2020). The third at Encore Boston Harbor in Everett, Massachusetts was conducted in 2022, delayed due to the pandemic.

Patron surveys accomplish several goals related to both the social and economic impacts of casino introduction, particularly the economic impacts. More specifically, patron surveys establish:

### 1. The geographic origin of casino patrons

- The geographic origin of patrons helps identify whether the impacts of the facility are localized, statewide, or multistate.
- Casino patron surveys are the only method available for estimating the amount of out-of-state patronage. The spending of these out-of-state patrons represents ‘**new revenue/spending**’ to the state, which has important economic value.<sup>1</sup>

### 2. The demographic characteristics of people patronizing Massachusetts casinos

- The demographic profile of casino patrons in terms of age, gender, race/ethnicity, and income helps establish whether casinos disproportionately impact certain subgroups of the population more than others.

### 3. Spending patterns on gambling and non-gambling activities

- Casino revenue does not establish the type of people or number of people who contributed to these revenues or the general spending patterns of casino visitors. Casino patron surveys accomplish this, as well as establish the approximate amount of off-site spending on non-gambling activities.

### 4. The amount of monetary recapture

- In addition to ‘new spending’ from out-of-state patrons, another significant economic benefit is the ‘**recaptured spending**’ of Massachusetts residents who indicate they would have spent their money at out-of-state casinos if the new casino did not exist.

### 5. The amount of reallocated spending

- Some casino-related spending is cannibalized from other sectors of the economy (often from other forms of gambling and/or other forms of entertainment). The magnitude of this ‘**reallocated spending**’ can also be estimated from the self-report of casino patrons.

In addition to the primary goals above, patron surveys provide an opportunity to assess:

### 6. Patrons’ perceptions and experience with the new venues

- Whether they found it difficult to get to the facility and whether they enjoyed their visit.

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<sup>1</sup> The proportion of spending by out-of-state patrons who would have visited the community regardless of the casino does not count as “new” spending but is important to account for as well.



## 7. Utilization of responsible gambling measures such as the GameSense program

- These measures are an important part of the gambling environment in the Commonwealth and it is helpful to gain information on patron participation in and perceptions of these measures.

This report addresses each of these issues.

### Encore Boston Harbor

The Expanded Gaming Act authorized up to three casino resorts and one slot parlor. Wynn Resorts, Limited, was awarded a gaming license for a casino resort in Everett on September 17, 2014 and Encore Boston Harbor opened to the public on June 23, 2019.

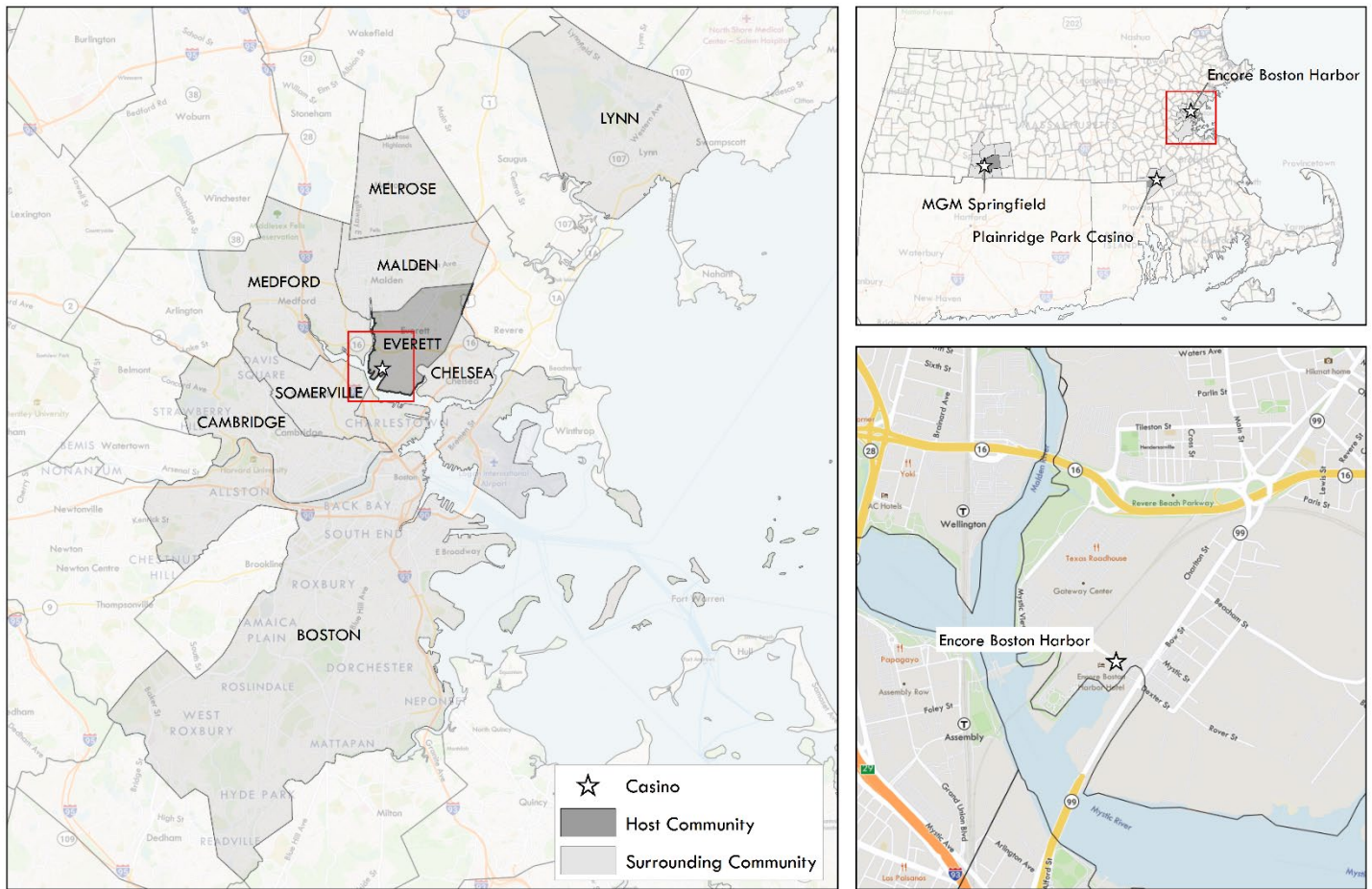
Encore Boston Harbor is a subsidiary of Wynn Resorts, Limited, a global gaming entertainment company with several properties worldwide, employing nearly 30,000 people globally. Encore Boston Harbor is open 24 hours and employs approximately 3,500 people. The property offers a 210,000 square foot casino with 2,700 slot machines and 206 gaming tables (Figure 1). Additionally, the property has eight locations on-site for purchasing the full range of lottery products. Sitting on the waterfront, with a six-acre Harborwalk, the property also features a Forbes Travel Guide Five-Star 671-room hotel, a spa, retail outlets, approximately 12 dining and lounge venues, and 71,000 square feet of meeting space (see Appendix A: Encore Boston Harbor Main Floor). Complimentary valet and self-parking are available at their multi-level parking garage, with additional parking located in a city-owned lot across the street. There are many shuttle, bus, and public transportation options available for getting to/from the resort as well (Figure 2).

Figure 1. Encore Boston Harbor



Photo credit: Encore Boston Harbor

**Figure 2. Map of Everett and Surrounding Communities**



## Methodology

### Ethical Approval

The protocol entitled “Social and Economic Impacts of Gambling in Massachusetts: Encore Patron Survey” (#3083), which included data collection procedures and all survey materials, received a letter of exempt determination from the University of Massachusetts Amherst Institutional Review Board (IRB) on November 4, 2021.

### Timing and Sampling Periods

The timing of the survey and the specific sampling periods were selected so as to obtain as representative a sample as possible. This involved (1) waiting at least 6-12 months after the casino opened to allow patronage volume and demographic characteristics to settle;<sup>2</sup> (2) spreading data collection over a two week time span; and (3) sampling during both peak (Saturday) and non-peak (Monday) days as well as during peak (5pm-12am) and non-peak (10:30am-5:30pm) hours. Each site visit was for a 7-hour fixed period of time, sampling every 5<sup>th</sup> exiting patron. The length of time on site

<sup>2</sup> Ideally this survey would have been conducted in February/March 2020, some 8-9 months after the opening date of June 23, 2019, however, it was delayed due to the COVID-19 pandemic.

and the sampling number (i.e., every 5<sup>th</sup> patron) were determined based on pilot visits to the venue, which allowed us to estimate business volume and response rates needed to achieve a goal of collecting approximately 500 completed surveys. Table 1 identifies the four specific dates and times the survey was fielded.<sup>3</sup>

**Table 1. Patron Survey Schedule**

Survey Day	Day of Week	Date	Time
1	Saturday	4/2/2022	10:30am-5:30pm
2	Monday	4/4/2022	5pm-12am
3	Saturday	4/9/2022	5pm-12am
4	Monday	4/11/2022	10:30am-5:30pm

## Survey Team and Patron Recruitment

Laurie Salame, J.D., Senior Lecturer II in the Isenberg School of Management, Department of Hospitality and Tourism Management, and SEIGMA Expert Advisor, led the survey team, along with Álvaro J. Castro Rivadeneira, MD, a doctoral student in epidemiology at University of Massachusetts Amherst. Forty-two surveyors were hired to administer the surveys (21-31 during any given shift) through Headway Workforce Solutions, Research Division. Headway supports data collection efforts and staffing for both quantitative and qualitative research projects. With over twenty years of experience on the specific requirements of the research industry, they have provided support for a wide array of research projects nationwide funded by federal and state governments, universities, institutes, and non-profits. The surveyors were supervised on-site at all times by Ms. Salame and Dr. Castro Rivadeneira.

Each surveyor received two hours of in-person training provided by Ms. Salame, to ensure professional, knowledgeable, and polite interactions. Although the need did not arise during data collection, team members were trained to refer patrons in distress to the GameSense Advisor on duty.

Teams of surveyors were stationed at four busy casino entry and exit points, as determined by pre-survey visits and information provided by Encore Boston Harbor: Main/Watch; Main/Drugstore; East/GameSense; and North/Dunkin. Multiple surveyors staffed tables, with a display of “Frequently Asked Questions” hand-outs in English, Spanish, Mandarin, and Vietnamese (see Figure 30 in Appendix A for Encore Boston Harbor Main Floor plan with the exits and survey locations indicated). All surveyors wore uniform vests clearly identifying them as part of University of Massachusetts Amherst.

The patron recruitment procedure was as follows:

- One team member (**counter**) at each exit counted and kept a tally of all patrons exiting the venue.
- When the 5<sup>th</sup> person exiting was reached,<sup>4</sup> another team member (**solicitor**) approached that patron

<sup>3</sup> Prior surveys at Plainridge Park Casino and MGM Springfield were conducted over two seasons, winter (February/March) and summer (July/August) to take account of potential seasonal differences in patronage. This practice was discontinued for two reasons. First, there were no significant differences found seasonally on the prior surveys. Second, the costs associated with fielding surveys over different seasons nearly double the overall cost of the survey. Therefore, the decision was made to conduct this and any future patron surveys only once a year during a winter collection period. In order to obtain enough surveys with only one sampling period, the collection period was changed to 7 hours from 6, and we intercepted every 5<sup>th</sup> patron instead of every 6<sup>th</sup>.

<sup>4</sup> When people were departing in groups, the counter continued to count each exiting patron and the person who was judged to be the 5<sup>th</sup> exiting patron was approached. In a situation when people were “tied” as the 5<sup>th</sup> patron (i.e., walking towards the exit side-by-side), the solicitor randomly selected which person to approach.

and, using a specific script (see Appendix B: Survey Team Script), asked if they had 5-10 minutes to complete a short, self-administered, confidential survey and receive a \$5 Dunkin or Starbucks gift card as compensation.

- If the patron indicated they were not exiting the facility (i.e., just going outside to smoke or using the ATM), the solicitor recorded the interaction as a 'non-exit.'
- If the patron indicated they had already completed a survey that day, the solicitor recorded the interaction as 'already did.'
- If the person indicated they were not really a patron (e.g., out of uniform employee), the solicitor recorded the person as a 'non-patron.'
- If the patron declined to participate, the solicitor recorded the person as a 'refusal' and marked, to the best of their ability, the gender, race, and age group of that patron.
- A small number of patrons exited the casino and were not solicited to complete a survey due to all surveyors being occupied with other participants and/or it was not possible to solicit them because they arrived at the elevator before we could approach them. These individuals were recorded as 'missed patrons.'
- If the patron agreed to participate, the solicitor escorted the patron to the table where another team member (**table monitor**) provided more information about the survey (i.e., its purpose, that it was anonymous, that participants could stop at any time, the time required, and the option of completing the survey via paper and pencil or electronically on an iPad via Alchemer). The table monitor then provided the patron with a survey number along with either an iPad or a paper survey, depending on the patron's preference. The printed version was available in English, Spanish, Mandarin, and Vietnamese; the electronic version was available only in English. A total of 410 people opted for the electronic questionnaire and 30 completed the printed questionnaire (19 in English, 3 in Spanish, 7 in Mandarin, and 1 in Vietnamese). The purpose of the self-administered format was to maximize the validity of responses to potentially sensitive questions (e.g., gambling expenditure, income). However, when requested, the survey questions were asked orally and the interviewer entered the responses (this option was rarely used). When the survey was complete, the interviewer gave the patron a \$5 gift card to either Dunkin Donuts or Starbucks, along with a thank you note and recorded the transaction on the gift card inventory sheet.
- Team members switched roles roughly every hour and the two supervisors moved between the various exits to monitor each team throughout the 7-hour period.

## Questionnaire

The questionnaire contained five sections. The content of each section is presented briefly here, and the full questionnaire is included in Appendix C: Patron Survey Questionnaire.

### ***Transportation, frequency of visiting, reason for visiting, length of stay, enjoyment of the venue***

This section included questions about transportation used to get to the venue, whether any problems were experienced getting to the venue, frequency of visiting the venue, whether the venue prompted their visit to the area, length of visit to Massachusetts, use of a loyalty or rewards card, satisfaction with the venue, what they liked most about their visit, and plans to return to the venue.

### ***Activities engaged in while at the venue***

Questions in this section involved the non-gambling activities the respondents engaged in while at the venue (food or beverage, shopping, entertainment, and/or other), and their estimated total expenditure



on these non-gambling activities. Patrons were also asked whether they gambled at the facility and, if so, which type of gambling they participated in and their estimated total gambling expenditure. An additional question inquired about casinos in other states that the respondent had visited in the past year.

### ***Activities participated in outside of the venue during the visit***

This section of the questionnaire asked about other activities patrons participated in outside the venue but within the area, as well as their total expenditure on these activities. Additional questions in this section asked whether the patron would have spent money on out-of-state gambling if a gambling venue in Massachusetts was unavailable, which other activities they would have spent their money on if they had not come to this venue, and the impact the pandemic had on their gambling.

### ***Demographics***

The questionnaire asked respondents about their geographic origin, gender, age, marital status, highest level of education, employment status, veteran status, household income, race/ethnicity, and zip code. The demographic categories used were identical to those used in all other SEIGMA surveys.

### ***Utilization of responsible gambling measures such as GameSense***

Finally, patrons were asked about their utilization of various responsible gambling strategies including the GameSense program. Respondents were also asked about the impact these strategies had on their ability to play within their limits.

## **Obtained Sample and Response Rate**

As detailed in Table 2 below, by counting every 5<sup>th</sup> person exiting the casino, the surveyors tracked a total of 3,480 individuals. Of those, 490 people were not eligible to complete the survey.<sup>5</sup> Additionally, due to the physical logistics of the exit areas, 131 people were ‘missed,’ meaning we did not have a chance to solicit them, mostly due to their entry into the elevators before a solicitor could approach them. In total, 2,859 eligible patrons were invited or ‘solicited’ to participate in the survey. A total of 440 patrons agreed, for an overall response rate of 15.4%.<sup>6</sup> Response rates for individual questions were above 83% for all but two of the questions (spending on tips to non-gambling employees in Encore Boston Harbor and spending on activities in Massachusetts outside of Encore Boston Harbor during visit to area), as shown in Table 13 in Appendix D. Refusal rates were examined by day of week and time of day, with no significant differences found (see Table 14 in Appendix D).

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<sup>5</sup> Ineligible people consisted of three groups: a) those who were not permanently leaving (i.e., exiting the casino floor to enjoy non-gambling amenities, accessing the ATMs, and/or temporarily going outside to smoke, b) patrons who had already completed the survey, and c) people who were not Encore Boston Harbor patrons (i.e., non-uniformed Encore Boston Harbor employees).

<sup>6</sup> For further discussion of the response rate, see the Limitations section of this report.

**Table 2. Obtained Sample**

Day	Day of Week	Date	Time	Every 5 <sup>th</sup> Person Leaving	Ineligible People	Missed People	Eligible Patrons Solicited	Refusals	Completed Surveys	Response Rates
1	Saturday	4/2/2022	10:30am-5:30pm	769	83	23	663	546	117	17.6%
2	Monday	4/4/2022	5pm-12am	696	88	57	551	462	89	16.2%
3	Saturday	4/9/2022	5pm-12am	1496	248	36	1212	1041	171	14.1%
4	Monday	4/11/2022	10:30am-5:30pm	519	71	15	433	370	63	15.4%
Total				3480	490	131	2859	2419	440	15.4%

## Data Cleaning

All paper surveys were manually entered into Alchemer. A random sample of 20%, or 6 out of 30, of the records were selected and the accuracy of these entries verified. All Alchemer files were then downloaded and converted to a SAS file. These individual files were then checked for anomalous values. The main data cleaning occurred with expenditure values. Self-reported gambling expenditure tends to be somewhat unreliable due to a tendency, particularly among heavy and/or problem gamblers, to report being a ‘winner.’ This is despite its implausibility and objective evidence to the contrary (Williams, Volberg, Stevens et al., 2017; Wood & Williams, 2007). The analytical approach employed with these data has been shown to improve the validity of self-reported expenditures and has been used in previous reports. Consequently, the present study adopted this protocol as a best-practice approach and to maintain consistency across reports. This analytical approach involves winsorizing all extreme values greater than 4 standard deviations from the average and converting all reported wins to zero (Volberg, Williams, Stanek et al., 2017; Williams, Volberg, Stevens et al., 2017; Wood & Williams, 2007).<sup>7</sup> Winsorization of all values greater than 4 standard deviations was also used for self-reported *non-gambling* expenditure. Fourteen percent of the respondents reported gambling expenditure wins, which were set to zero. Less than 1% of gambling expenditures, non-gambling expenditures at Encore Boston Harbor, and non-gambling expenditures outside of Encore Boston Harbor were winsorized.<sup>8</sup>

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<sup>7</sup> Four standard deviations is consistent with the methodology utilized in the Plainridge Park Casino and MGM Springfield patron surveys and equals 4 standard deviations from the mean (\$5,368 for gambling expenditures in this report).

<sup>8</sup> Winsorizing and setting wins to zero was also utilized in the Plainridge Park Casino Patron Survey and produced a 96% match between gambling expenditure and revenue (after we conducted a sensitivity analysis to arrive at the best solution for that data set). Winsorizing also produced a good match for on-site non-gambling expenditure. The Plainridge Park Casino data cleaning procedures derived from the approach utilized in our population surveys, which were, in turn, drawn from the larger research literature on how to best clean self-reported gambling expenditure. We used the same procedure in this report to maintain consistency of analytic methodology across venues. We have included a sensitivity analysis for Encore Boston Harbor expenditure data in Table 15 of Appendix D. While the approach used for Plainridge Park Casino produced a 96% match between estimated expenditures and casino revenues, the match was less robust for Encore Boston Harbor producing estimates that were 1.26 times higher than casino revenues.

## Weighting

The first step in the weighting process established the population characteristics during the sampling periods. This involved combining the age category, race/ethnicity category, and gender of people who completed the survey (and reported these demographic characteristics in their survey) with the age, race/ethnicity, and gender of people who declined to complete the survey (as recorded by the survey team). The demographics of people who completed the survey were then weighted to match the gender, race/ethnicity, and age range of the total population of casino patrons during the survey periods.

The reliability and validity of this weighting procedure depends on the accuracy of the survey team in correctly identifying the age, gender, and race/ethnicity of refusals and whether there are any systematic biases in the errors. A 'Demographic Accuracy Test' (see Appendix E: Demographic Accuracy Test) consisting of 36 pictures of people of different known ages, genders, and race/ethnicities was developed for the 2016 Plainridge Park Casino patron survey (Salame et al., 2017) and was utilized again for the MGM Springfield and present study. This was administered to the 29 surveyors.<sup>9</sup> An average of 84.9% of all pictures were correctly identified by the 29 surveyors, with no significant difference in picture accuracy as a function of the age, gender or race/ethnicity of the person in the picture. Surveyors themselves had an average of 81.2% (29.2/36) pictures correct. These results confirm that the ability of the surveyors to correctly identify age range, gender, and race/ethnicity of survey refusals with reasonable accuracy, which provides support for the validity of our weighting procedure.

The process of assigning weights to Encore Boston Harbor patron survey respondents was similar to that used for Plainridge Park Casino and MGM Springfield survey respondents as described in Salame et al. (2017). The Plainridge Park Casino patron survey divided the 12-month period after Plainridge Park Casino opened into two 6-month intervals (winter/spring, and summer/fall) where casino patronage was thought to be similar. Recognizing the differences in the number of patrons by the time of the day, and day of the week, weeks in each interval were stratified into weekday hours, and weekend hours. Using the automatic exit counts recorded by the Plainridge Park Casino TRAF-SYS system, it was possible to know the average number of patrons per week in the weekday hours in each 6-month interval. In addition, it was possible to know the average number of patrons per week in the 4-hour weekday-collection period in each 6-month interval. With these values, we were able to determine the percent of patrons asked to complete a survey in the survey period. The weight is the reciprocal of the percent (i.e., if 1 in 10 patrons are surveyed, then each surveyed patron is assigned a weight of 10). Additional steps were taken to adjust the weights to account for different survey response rates by gender, age, and race.

The Encore Boston Harbor patron survey weighting was similar to the Plainridge Park Casino patron survey design. However, it differed in one respect, in that the automatic exit counts recorded by TRAF-SYS that were used for weighting at Plainridge Park Casino were not available for Encore Boston Harbor at the time of this writing, nor was that data available when writing the MGM Springfield report. As a result, the development of weights to make the surveyed patrons' responses representative of all patrons over 12-months also differed. Appendix F: Weighting Calculations describes the Encore Boston Harbor patron survey weighting procedure in detail.

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<sup>9</sup> Although a total of 42 surveyors were hired for this project, not all of the surveyors were available prior to the survey to complete the Demographic Accuracy Test.

## Results

The results of the patron survey provide a detailed picture of who patronizes Encore Boston Harbor, and their behavior in and out of the casino. The results presented here offer both a general overview of the data collected as well as a more in-depth analysis in some key areas.

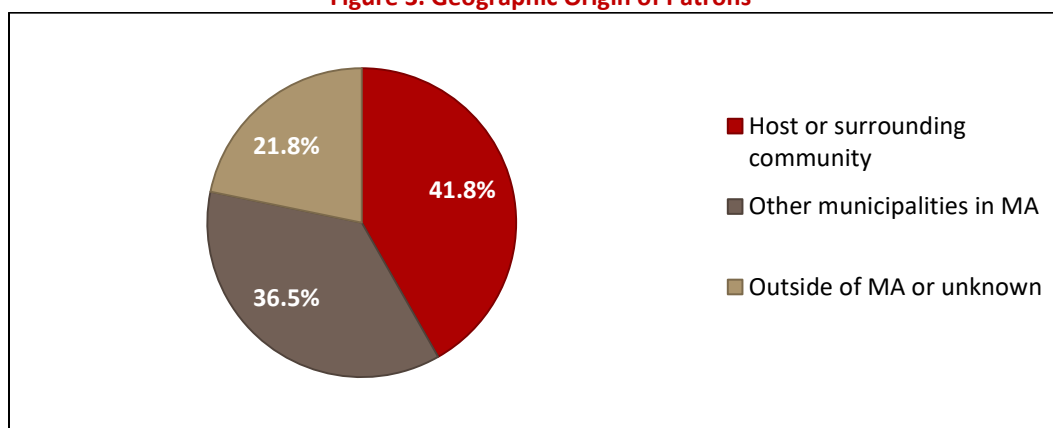
### Geographic Origin

The first question in the survey asked for participants' zip code, which was used to determine geographic origin. The geographic origin of patrons helps identify how the facility's presence affects the region. Patrons who come from the immediate area may not bring as much new economic activity to the region as patrons who are coming from other parts of the state or from outside of the state. Knowing where patrons come from allows the use of economic modeling to analyze recapture and reallocation of revenues. We grouped patrons into three geographic regions: (1) host and surrounding communities (defined by the Massachusetts Gaming Commission as the municipality where the venue is physically located, those that have agreements with the casino, and/or municipalities in close proximity to the venue that are likely to be impacted by the venue);<sup>10</sup> (2) other communities in Massachusetts; and (3) outside of Massachusetts. In total:

- 41.8% of patrons were from the host (Everett) or surrounding communities (Boston, Cambridge, Chelsea, Saugus, Lynn, Malden, Medford, Melrose, and Somerville)
- 36.5% of patrons were from other communities in Massachusetts
- 14.1% of patrons were from outside of Massachusetts
- 6.7% of patrons did not enter a zip code, but reported that they live in the United States
- <1.0% of patrons were from outside the United States

For analytic purposes, we combined the patrons who did not report a zip code and patrons who were not from the United States with the patrons from outside of Massachusetts in Figure 3.

**Figure 3. Geographic Origin of Patrons**



Note: This information is also contained in Table 57 in Appendix H

<sup>10</sup> Chelsea and Saugus have not been designated as official surrounding communities by the Massachusetts Gaming Commission. However, since these communities have similar stipulations to those official designations, we have included them in the defined surrounding communities for this report. This is consistent with analysis done in other SEIGMA patron survey reports. Information about host and surrounding community designation can be found on the Massachusetts Gaming Commission's website: <https://massgaming.com/about/community-mitigation-fund/host-surrounding-communities/>.



As seen in Table 57 (Appendix H), there were no significant differences in geographic origin of patrons by day of collection.

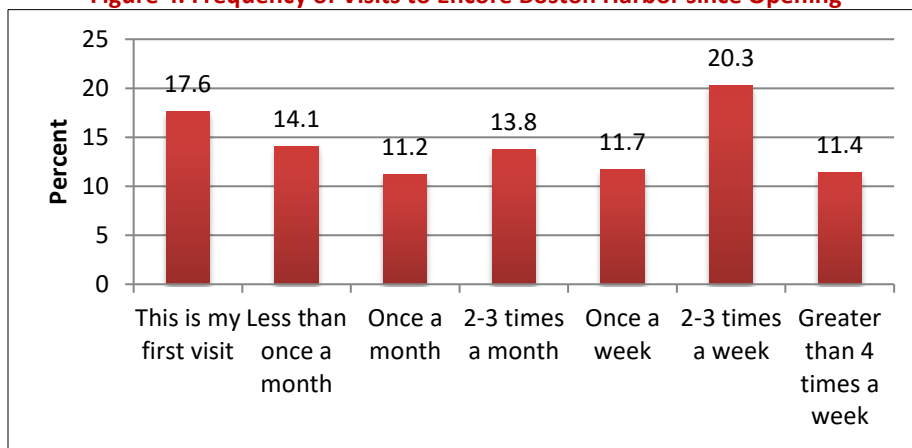
### Transportation, Visitation Frequency, Reason for Visiting, Length of Stay, Enjoyment

Patrons were asked about their mode of transportation getting to the casino and whether they experienced any problems getting to the venue. A total of 90.0% of patrons reported experiencing no problems in getting to the casino, with most people coming in their own or someone else’s car (82.4%) (Table 51 in Appendix G).

When asked how often they have visited the facility since it opened, Figure 4 shows that 17.6% indicated that this was their first visit to Encore Boston Harbor. Another 14.1% of patrons reported they visited Encore Boston Harbor less than once a month, 25.0% reported they visited 1-3 times per month, and 43.3% reported they visited once a week or more often (11.7% once a week, 20.3% 2-3 times a week, and 11.4% greater than 4 times a week). Nearly two-thirds of patrons (57.2%) were determined to be regular visitors as they visited the casino 2-3 times a month or more.

This pattern is consistent with other patron surveys conducted in Massachusetts and in other jurisdictions. A sampling bias of all patron surveys is that they are more likely to sample patrons who visit on a regular basis. For example, if patronage consists of three people who attend every day and seven people who attend once a week, then the majority of the sample on any given day will consist of the daily attenders, even though they only comprise 30% of the patronage. Thus, it is important to recognize that the demographic, geographic and gambling behavior of people sampled in a patron survey is not perfectly representative of the demographic, geographic and gambling behavior profile of the entire patronage.<sup>11</sup> However, the value of patron surveys is that they *do provide a representative profile of the people who contribute to daily casino gambling and non-gambling revenue*. In many ways this information is actually more important, as the geographic and demographic origin of **casino revenue** is more central to the social and economic impacts of casinos than the geographic and demographic origin of all **casino patrons**.

**Figure 4. Frequency of Visits to Encore Boston Harbor since Opening**

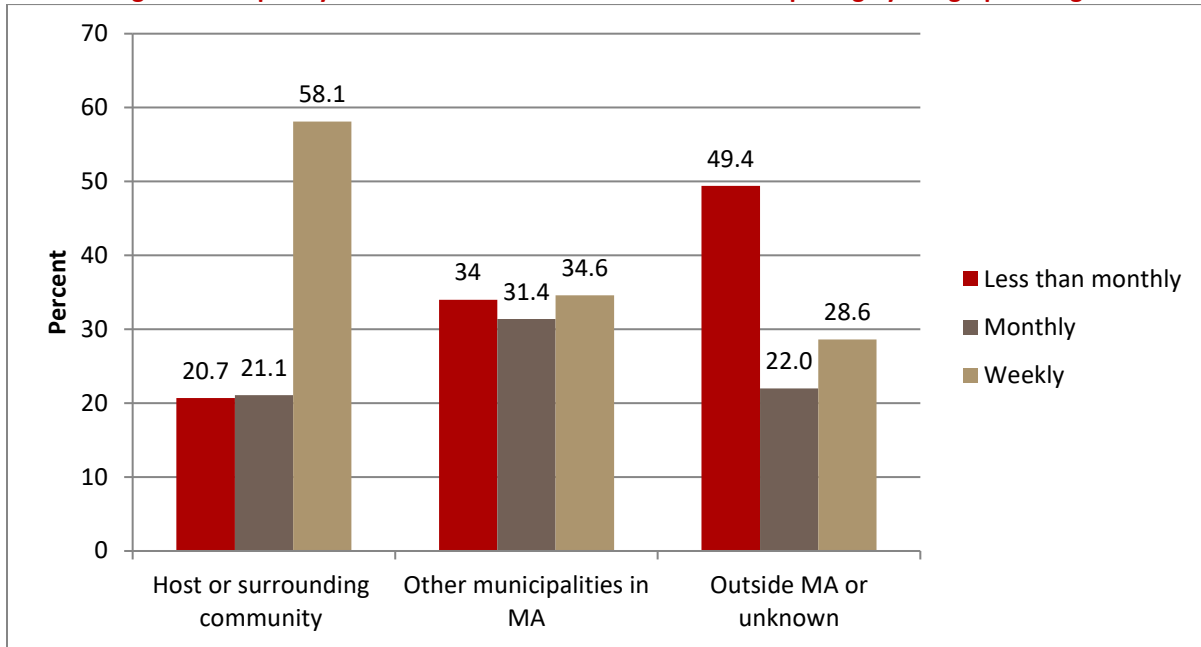


Note: This information is also contained in Table 51 in Appendix G

<sup>11</sup> This information is captured in population surveys that sample the entire population, and will be reported in our Follow-Up General Population Survey report later this year.

Figure 5 shows that 58.1% of the patrons from host and surrounding communities visited Encore Boston Harbor on a weekly basis or more often compared to only 34.6% of patrons from other municipalities in Massachusetts and 28.6% of patrons from outside of Massachusetts. The difference is statistically significant (Table 52 in Appendix G).

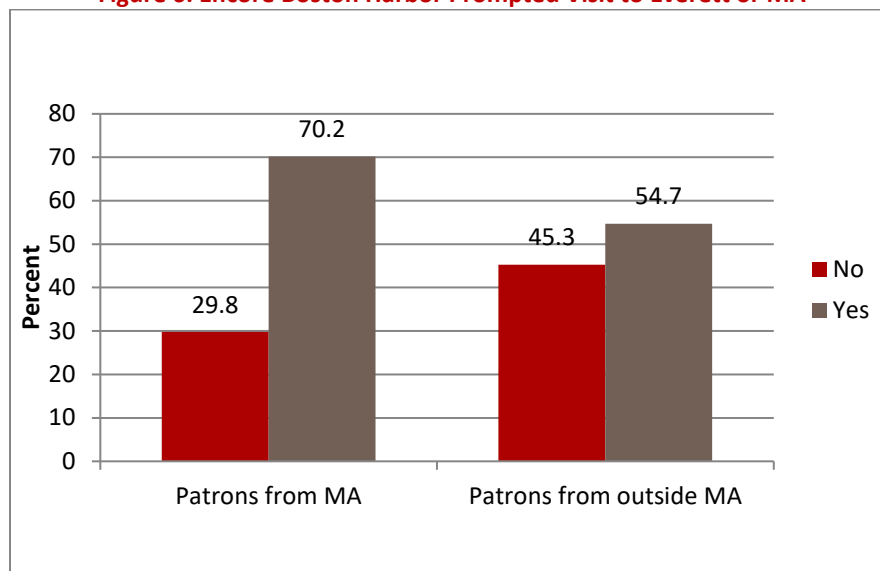
**Figure 5. Frequency of Visits to Encore Boston Harbor since Opening by Geographic Origin**



Note: Table 52 in Appendix G also contains this information

A total of 66.9% of patrons reported that it was Encore Boston Harbor that prompted them to visit Everett and/or Massachusetts (see Table 54 in Appendix G). Figure 6 shows that out-of-state patrons were less likely to visit the area because of the casino compared to patrons from Massachusetts (70.2% versus 45.3%)

**Figure 6. Encore Boston Harbor Prompted Visit to Everett or MA**



Note: Table 54 in Appendix G also contains this information

Among patrons from outside Massachusetts, 41.5% reported visiting Massachusetts for one day or less and 58.5% stayed for two or more days, with an overall average of 2 days (see Table 55 in Appendix G).

Finally, a majority of patrons (89.5%) reported having an enjoyable experience at Encore Boston Harbor and 88.4% indicated they would return. When asked what three things they liked most about their visit, “playing the games” was the most common item endorsed (69.3%), followed by friendliness of casino staff (25.8%), convenient parking (20.8%), and easy access to the games (19.1%) (see Table 56 in Appendix G).

## Demographics

Table 3 illustrates that the gender of casino patrons was not evenly distributed (55.2% male versus 38.3% female). Over half of patrons were White (55.0%), a quarter of patrons were Asian (24.9%), with smaller proportions of patrons classified as Hispanic (7.6%) or Black (8.3%). The majority of patrons were middle-aged or older, with a mean age of 44 years. Educational attainment was relatively high, with 77.5% having attended college or obtained a university or college degree. Household income was quite variable, with the modal income group being in the \$50,000 to \$99,999 range. Although not reported in Table 3 (as this information was not available from the Massachusetts census), Table 58 in Appendix H shows that the majority of patrons were employed (71.6%), and almost one fifth of patrons (18.7%) were retired. Almost six in ten patrons were married, living with a partner, or widowed (57.0%) and 11.1% were divorced or separated. Finally, about one in ten patrons (9.8%) had served in the military.

Compared to the general adult Massachusetts population (18+) from the 2020 American Community Survey, patrons from Massachusetts were less likely to be female. The most marked difference is in the race/ethnicity, where 24.3% of Massachusetts patrons were Asian, compared to only 7.1% in the census. Patrons were also less likely to be White (53.6% compared to 71.9% in the Massachusetts population). A somewhat higher proportion of casino patrons were aged 35-64 compared to the Massachusetts population. In terms of education, patrons were more likely to have some college education below a degree, but otherwise with similar educational attainment. Finally, patrons were more likely to have a household income between \$50K - \$100K and less likely to have a household income >\$150K, suggesting that Massachusetts residents with household income greater than \$150K are less likely to visit Encore Boston Harbor. Patron demographics compared to the Massachusetts population for the Host and Surrounding Communities can be found in the Appendices (Table 59 in Appendix H).

It is important to note that Table 3 provides a detailed summary of selected demographic characteristics of the patron survey participants that are not fully utilized in subsequent analyses. Instead, these demographic characteristics have been collapsed into fewer categories to facilitate interpretation of the results. The reader will see these collapsed categories in Figures 7 through 10 below which illustrate differences in age, education, and household income by geographic origin.

**Table 3. Patron Demographics Compared to the Massachusetts Population**

		Encore Boston Harbor Patrons								MA in 2020 <sup>3</sup>	
		Entire Sample				MA residents					
		N <sup>1</sup>	N <sup>2</sup>	%	SE	N <sup>1</sup>	N <sup>2</sup>	%	SE	%	SE
Gender	Female	218	1,169,039	38.3	2.8	173	946,178	39.7	3.2	48.0	0.3
	Male	196	1,683,082	55.2	2.9	154	1,322,304	55.4	3.3	52.0	0.3
	Prefer not to say	26	197,623	6.5	1.4	16	116,950	4.9	1.3		
Race/ Ethnicity	Hispanic	38	215,862	7.6	1.4	35	196,121	8.6	1.7	11.0	0.2
	White alone	255	1,560,648	55.0	3.2	198	1,226,523	53.6	3.5	71.9	0.3
	Black alone	43	234,987	8.3	1.4	38	216,013	9.4	1.7	6.1	0.2
	Asian alone	52	707,236	24.9	3.3	41	556,965	24.3	3.6	7.1	0.2
	Some other race alone			--				--		0.6	0.0
	Two or more races	18	101,069	3.6	0.9	<b>12</b>	<b>76,392</b>	<b>3.3</b>	<b>1.1</b>	3.3	0.1
Age	18-20			--				--		5.3	0.1
	21-24	32	237,315	9.2	1.8	26	178,871	8.6	1.8	7.0	0.2
	25-34	54	423,498	16.5	2.4	40	314,329	15.1	2.5	18.0	0.2
	35-54	118	979,873	38.1	3.3	98	820,550	39.5	3.7	31.1	0.3
	55-64	88	515,133	20.0	2.6	71	427,717	20.6	2.9	17.1	0.2
	65-79	66	357,010	13.9	2.0	54	285,828	13.8	2.1	16.4	0.2
	80+	<b>10</b>	<b>55,422</b>	<b>2.2</b>	<b>0.8</b>	<b>7</b>	<b>47,522</b>	<b>2.3</b>	<b>0.9</b>	5.1	0.1
Education	Less than high school	28	207,201	7.3	1.6	22	143,951	6.3	1.6	8.5	0.2
	High School or GED	74	434,428	15.2	2.0	58	356,805	15.6	2.3	22.8	0.3
	Some college	129	872,682	30.6	2.8	111	767,404	33.5	3.3	25.2	0.3
	Bachelor's Degree	117	893,733	31.3	2.9	85	649,423	28.4	3.2	24.8	0.3
	Masters, PHD or professional degree	68	444,972	15.6	2.2	55	371,857	16.2	2.5	18.7	0.2
Annual Household Income	Less than \$15,000	30	227,045	8.0	1.8	25	174,039	7.6	1.9	5.9	0.2
	\$15,000-<30,000	27	172,641	6.1	1.3	23	146,861	6.4	1.5	6.7	0.2
	\$30,000-<50,000	53	295,708	10.5	1.6	42	231,292	10.2	1.8	9.6	0.2
	\$50,000-<100,000	127	989,780	35.0	3.1	104	830,171	36.5	3.4	24.2	0.3
	\$100,000-<150,000	95	643,338	22.8	2.6	78	531,196	23.3	2.9	20.0	0.3
	\$150,000 and more	79	498,614	17.6	2.2	57	363,621	16.0	2.3	33.6	0.3

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

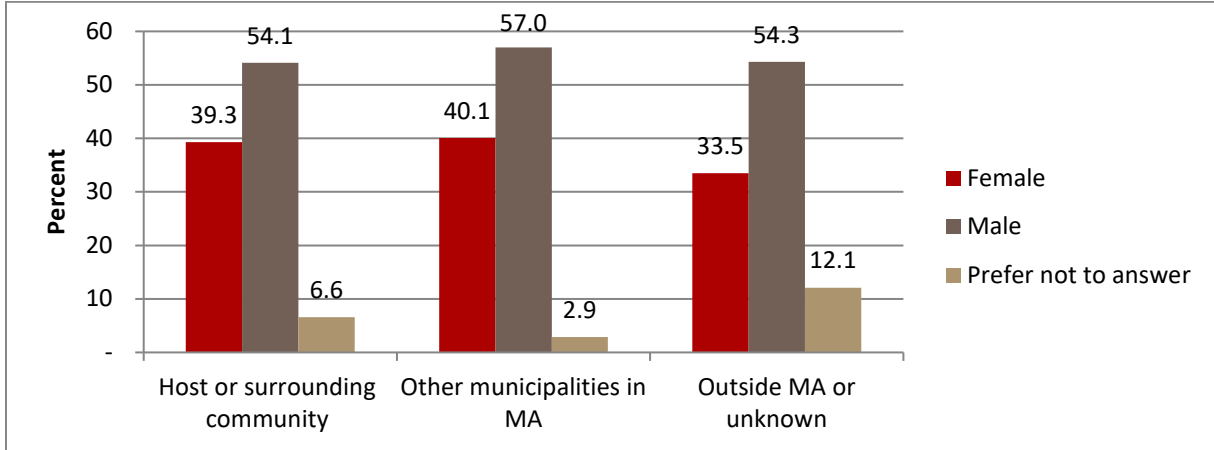
<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in the past year.

<sup>3</sup>Source: U.S. Census Bureau, 2020 American Community Survey PUMS.

Note: Not available (NA) indicates estimates are unreliable, relative standard error >30%.

Figures 7 to 10 present the demographics of patrons broken out by geographic origin. Figure 7 illustrates that 39.3% of patrons from the host and surrounding communities were female, while 54.1% were male and 6.6% preferred not to specify their gender. There was no significant gender difference by geographic origin.

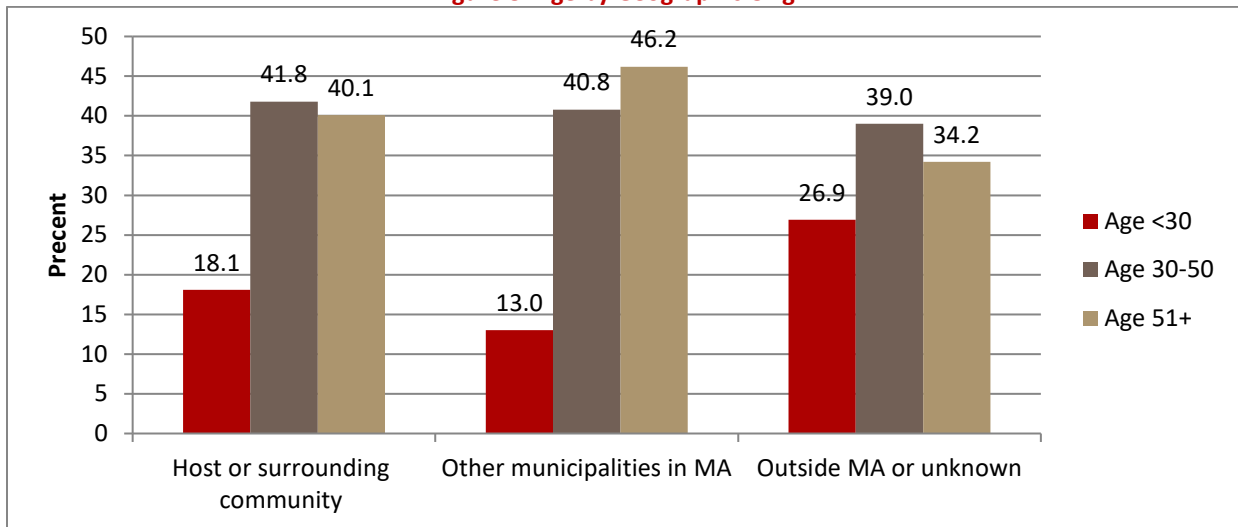
**Figure 7. Gender by Geographic Origin**



Note: This information is also contained in Table 59 in Appendix H

Figure 8 shows that there were differences in age among the patrons in several categories; far fewer patrons under age 30 were from other Massachusetts municipalities (13.0%) than from outside of Massachusetts (26.9%). The differences in age by geographic origin are not statistically significant.

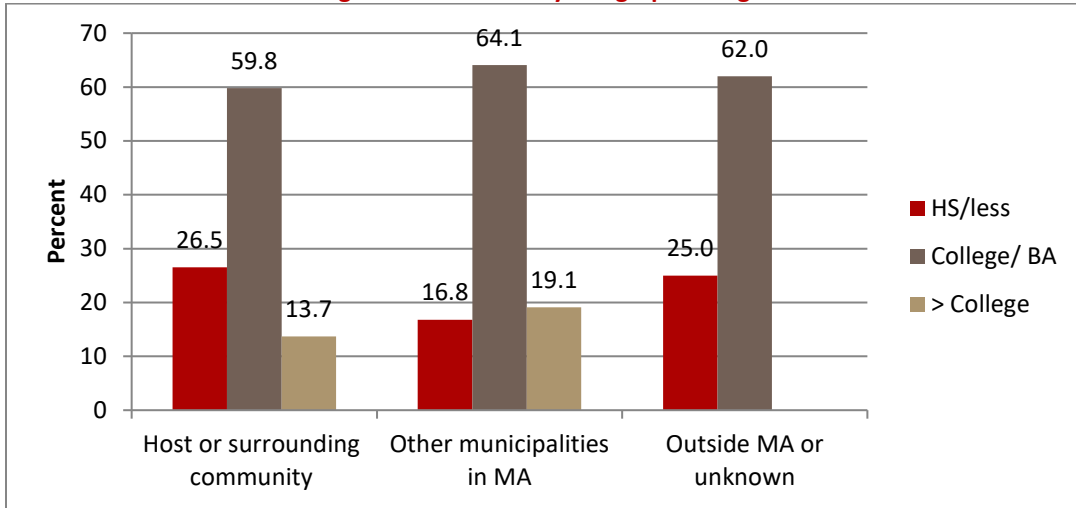
**Figure 8. Age by Geographic Origin**



Note: This information is also contained in Table 59 in Appendix H

Figure 9 demonstrates that only 26.5% of patrons from the host and surrounding communities, 16.8% patrons from other Massachusetts municipalities, and 25.0% of patrons from outside of Massachusetts or origin unknown had a high school education or less. Overall, the proportion of patrons with at least some college education was high among patrons from all three geographical areas. The differences in education by geographic origin are not statistically significant.

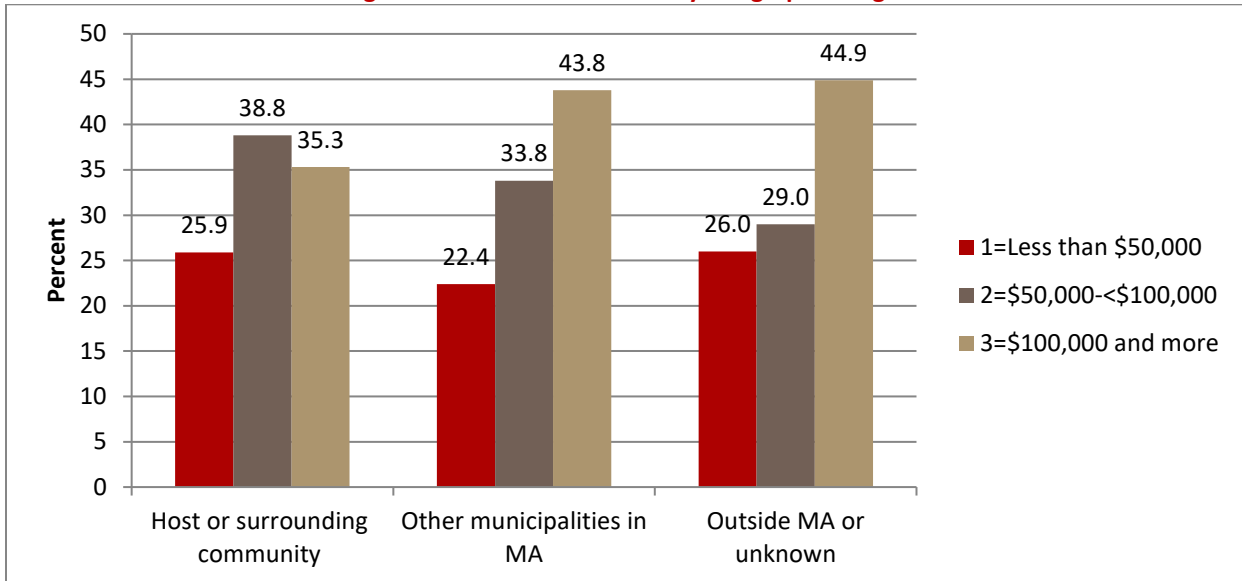
**Figure 9. Education by Geographic Origin**



Note: This information is also contained in Table 59 in Appendix H

Figure 10 shows that 25.9% of patrons from the host and surrounding communities, 22.4% patrons from other Massachusetts municipalities, and 26.0% of patrons from outside of Massachusetts or origin unknown had an annual household income of \$50,000 or less. The differences in income by geographic origin are not statistically significant.

**Figure 10. Household Income by Geographic Origin**

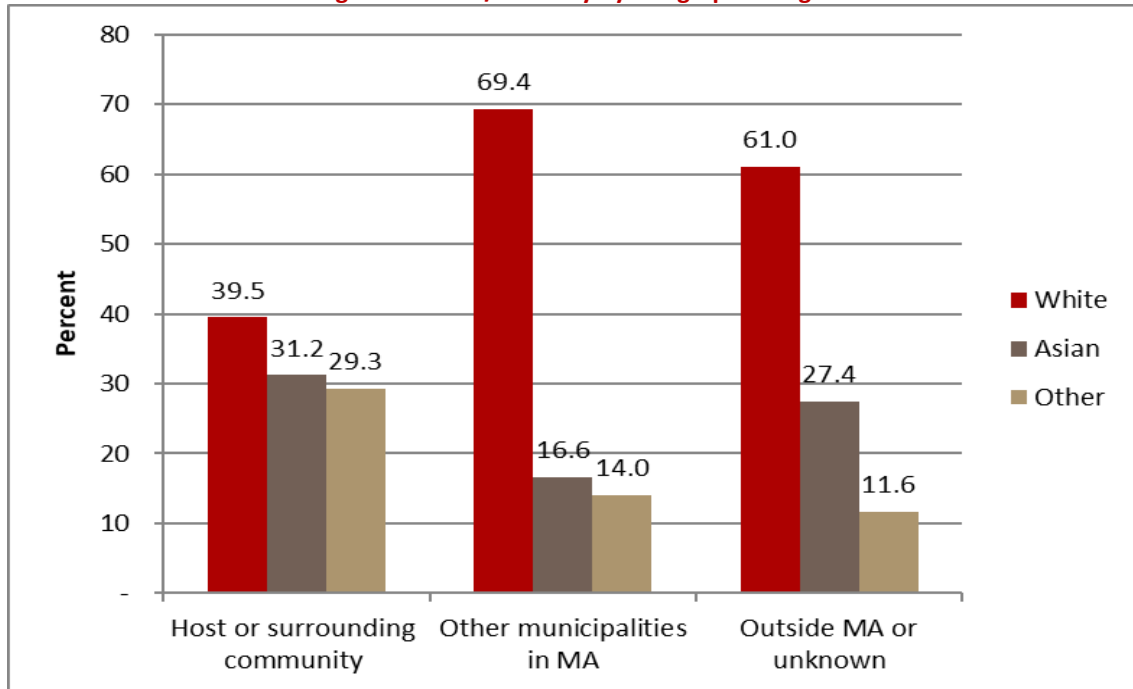


Note: This information is also contained in Table 59 in Appendix H

Overall, the survey found that 24.9% of patrons were Asian. Figure 11 shows that patrons from the host and surrounding communities were significantly more likely to be Asian (31.2%) and less likely to be White (39.5%) compared with those from other municipalities in Massachusetts (Asian 16.6% and White 69.4%). The proportion of Asian patrons from Massachusetts (24.3%) is much higher compared to their prevalence in the adult population of Massachusetts (7.1%). The Massachusetts Gaming Commission has identified gambling participation within the Asian community as an issue worth further research, and has funded and/or collaborated on projects such as “Unpacking the Root Causes of Problem Gambling in the

Asian Community” and “Community Voices from Boston Chinatown.”<sup>12</sup> Given these factors and since several sections within this report warrant a further analysis of Asian patrons, we have included all such analyses in the Analysis of Asian Patronage section later in the report.

**Figure 11. Race/Ethnicity by Geographic Origin**

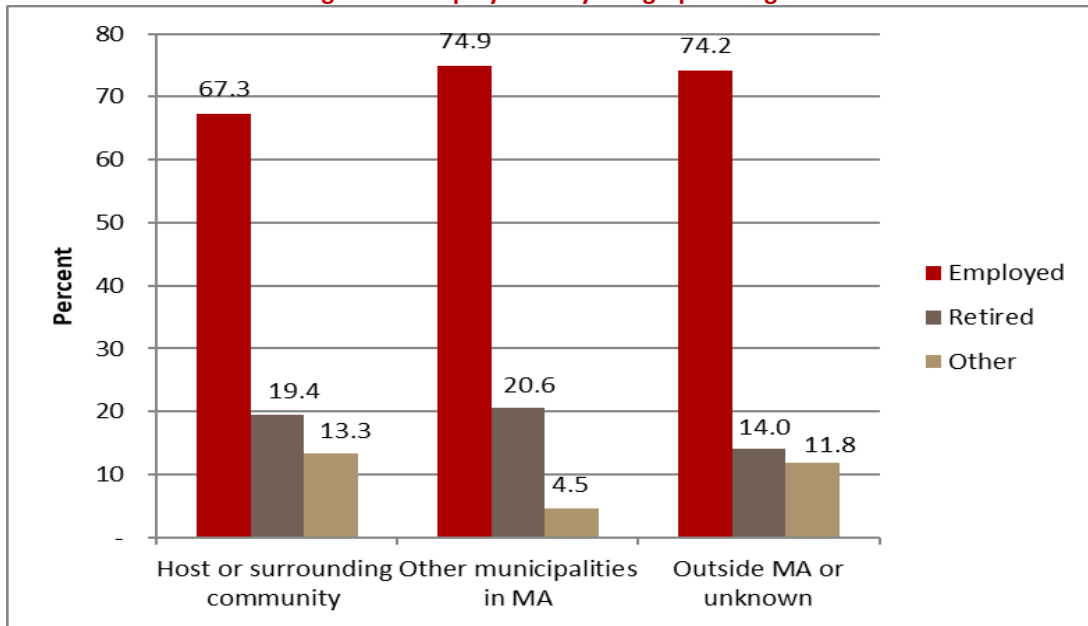


Note: This information is also contained in Table 60 in Appendix H

Figure 12 shows that almost two thirds (67.3%) of patrons from the host and surrounding communities, 74.9% of patrons from other Massachusetts municipalities, and 74.2% of patrons from outside of Massachusetts or origin unknown were employed. The difference in employment by geographic region is statistically significant. Table 61 in Appendix H presents this and additional information about the demographic differences across the three geographic groups.

<sup>12</sup> Full reports on these projects can be found at the following links, respectively: <https://massgaming.com/research/asian-cares-research-report/> and <https://massgaming.com/research/talking-about-casino-gambling-community-voices-from-boston-chinatown/>.

**Figure 12. Employment by Geographic Origin**



Note: This information is also contained in Table 59 in Appendix H

## Patron Activities

Patrons were asked a series of questions about the gambling and non-gambling activities in which they participated during this visit, both within the casino and off-site. The questions included:

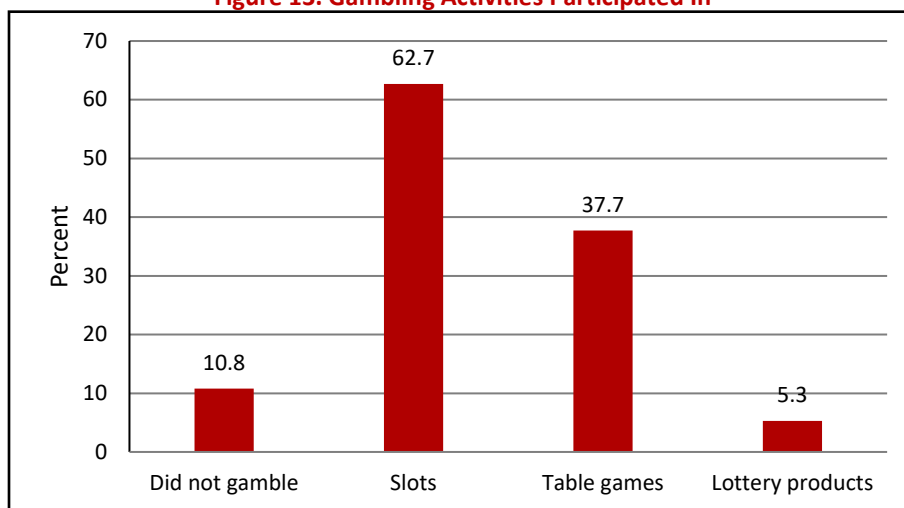
- What different types of gambling they participated in on-site during this visit
- Whether they had a loyalty or rewards card with Encore Boston Harbor (e.g., Wynn Rewards)
- What non-gambling activities they participated in on-site during this visit
- What non-gambling activities they participated in outside of the casino during this visit
- How the COVID-19 pandemic impacted their gambling

### **Gambling Activities**

In this section, we analyze the gambling behavior of the patrons. A total of 10.8% of patrons indicated they did not gamble during their visit, illustrating that gambling is not the only factor drawing people to Encore Boston Harbor. Nonetheless, most patrons did gamble. When asked about gambling activities, patrons were asked to select all activities in which they participated. As shown in Figure 13, the large majority played slots (62.7%), while 37.7% played table games, and 5.3% bought lottery tickets (see Table 62 in Appendix I).



**Figure 13. Gambling Activities Participated In**



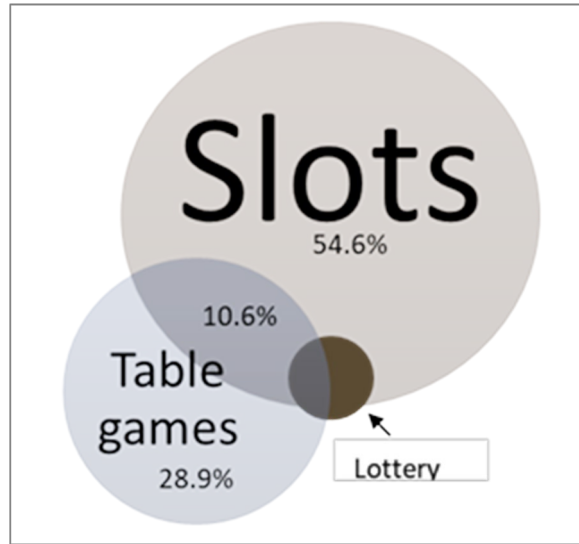
Note: This information is also contained in Table 62 in Appendix I

When considering gambling participation by geographic origin, Table 64 in Appendix I shows that 6.7% of patrons from the host and surrounding communities, 13.6% of patrons from other Massachusetts municipalities, and 13.8% of patron from outside of Massachusetts or with origin unknown did not gamble. The difference by geographic origin is not statistically significant.

A total of 74.0% of patrons reported that they had a loyalty or rewards card with Encore Boston Harbor (e.g., Red Card). Loyalty card membership was highest among patrons who played slots (82.5%). Among patrons who played table games and among those who bought lottery tickets, loyalty card membership was 70.1% and 70.7% respectively (see Table 65 in Appendix I).

Next, we examined the patterns of gambling participation for patrons who played slots (294), table games (137), or purchased lottery products (21). Figure 14 illustrates that among those who participated in gambling activities, 54.6% only played slots; 28.9% only played table games; 10.6% played both slots and table games and the remaining small percentage played lottery and slots; lottery and tables; lottery, slots, and tables; or just lottery.

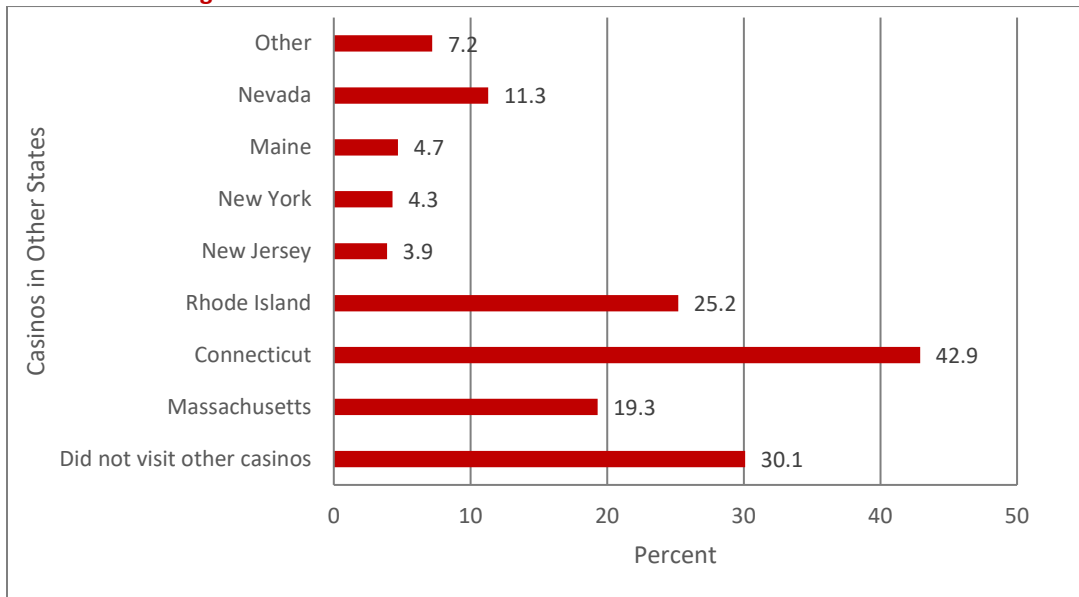
**Figure 14. Patterns of Gambling Participation**



Note: Table 63 in Appendix I also contains this information

Patrons were also asked if they had visited other casinos in the past year, and if so, which specific states they visited for casinos. A total of 39.5% reported going to one state, 13.8% reported going to two states, 8.8% reported going to three states, and 5.3% reported going to four or more states (see Table 62 in Appendix I which also contains details about the specific state patterns observed). Almost a third of patrons (30.1%) had not visited another casino. As seen in Figure 15, the majority of patrons reported visiting casinos in Connecticut (42.9%), Rhode Island (25.2%) and Massachusetts (19.3%).

**Figure 15. Other States Where Patrons Visited Casinos in Past Year**



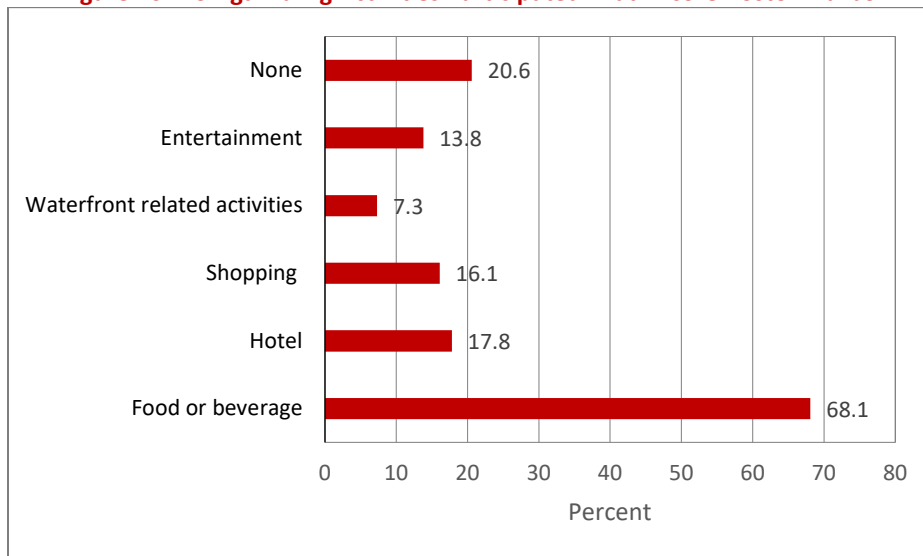
Note: Table 62 in Appendix I also contains this information

***Non-gambling Activities at Encore Boston Harbor***

In this section, we examine the non-gambling activities that patrons reported spending money on during their visit (Figure 16). A majority (68.1%) reported buying food and beverage at the casino, 17.8% stayed at the hotel, 16.1% purchased items at a gift shop or other retail outlet, and 13.8% reported spending on

entertainment. About one-fifth of the patrons (20.6%) reported not participating in any non-gambling activities while at Encore Boston Harbor (see Table 66 in Appendix I).

**Figure 16. Non-gambling Activities Participated in at Encore Boston Harbor**



Note: This information is also contained in Table 66 in Appendix I

There is no statistically significant difference when considering non-gambling activities at Encore Boston Harbor by geographic origin (see Table 67 in Appendix I).

Next, we examined the relationship between type of gambling engaged in and non-gambling spending at Encore Boston Harbor (see Table 68 in Appendix I). A significantly higher percentage of patrons who played the lottery (53.0%) spent money on a hotel room at Encore Boston Harbor compared to 19.8% of patrons who played slots. A larger percentage of patrons who played table games (25.7%) spent money on entertainment in Encore Boston Harbor compared to 9.7% of patrons who played slots.

***Non-gambling Activities Outside Encore Boston Harbor***

In this section, we examine the non-gambling activities that patrons engaged in off-site during their visit to the area. As seen in Figure 17, nearly one-third of patrons (29.5%) reported not participating in any off-site activities. However, 33.6% attended an event, show or exhibit, 21.0% bought food and beverage off-site, 11.3% visited a local bar, pub or nightclub, 9.8% went retail shopping, 8.3% bought fuel or other goods at a gas station, 6.5% spent money on other entertainment such as an amusement park, golf course, or movie theater, and 5.2% stayed at a hotel outside of Encore Boston Harbor (see Table 69 in Appendix I). The events patrons attended included TD Garden (12.2%), Boston Duck Boats (7.8%), New England Aquarium (7.4%), Museum of Science (6.1%), and some other Boston location (8.4%). When considering non-gambling activities off-site by geographic origin, Table 70 in Appendix I shows there to be statistically significant differences by geographic origin. Patrons from other municipalities in Massachusetts were significantly more likely to do no other activities off-site (39.6%) compared to patrons from outside Massachusetts or unknown residence (20.5%). Patrons from outside Massachusetts or an unknown residence were significantly more likely to visit a local bar, pub or nightclub (21.4%) compared to patrons from host and surrounding communities (7.2%).

**Figure 17. Non-gambling Activities Participated in Off-site**



Note: Table 69 in Appendix I also contains this information

Next, we examined the relationship between gambling activities at the casino and non-gambling activities off-site (see Table 71 in Appendix I). Among the patrons who played slots, 33.4% attended an event, show or exhibit, compared to 36.0% of patrons who played table games, and 27.8% of patrons who did not gamble at all. The differences are not statistically significant.

Among the Massachusetts patrons who indicated that their visit to Everett was prompted by Encore Boston Harbor, 31.9% attended an event, show or exhibit, 19.6% bought food or beverage off-site and 35.0% did not spend on anything off-site (see Table 72 in Appendix I). Among the out-of-state patrons who decided to visit Massachusetts because of Encore Boston Harbor, 38.2% attended an event, show or exhibit and 31.5% did not spend on anything off-site (see Table 73 in Appendix I).

### **COVID-19 Pandemic Impact on Gambling**

Patrons were asked two questions about the impact the COVID-19 pandemic had on their gambling: if their amount of online gambling had increased, and the pandemic’s impact on their overall gambling behavior. The majority of patrons (84.5%) indicated that their amount of online gambling had not increased during the pandemic. However, 16.4% indicated that they gambled more during the pandemic and 22.3% indicated they gambled less; 61.4% reported that the pandemic had no impact on their gambling behavior (see Table 74 in Appendix I). There is no statistically significant difference by geographic origin (see Table 75 in Appendix I).<sup>13</sup>

### **Patron Expenditures**

In addition to the activities they participated in, patrons were asked to estimate their total expenditure in each of these categories during their visit. Table 4 presents the median, average, and total self-reported expenditures on gambling activities, non-gambling activities at Encore Boston Harbor, and non-

<sup>13</sup> The SEIGMA team released a COVID Impacts Report in November 2022 which details the initial impacts of the pandemic on Massachusetts casinos ([https://www.umass.edu/seigma/sites/default/files/SEIGMA%20Covid%20Impacts%20Report\\_FINAL.pdf](https://www.umass.edu/seigma/sites/default/files/SEIGMA%20Covid%20Impacts%20Report_FINAL.pdf)).

gambling activities outside of Encore Boston Harbor as a function of Massachusetts or non-Massachusetts residency.

For all patrons combined, the median self-reported gambling expenditure was \$131, the median non-gambling expenditure at the casino was \$53, and the median non-gambling expenditure outside the casino was \$95.<sup>14</sup> The last column illustrates the percentage of self-reported expenditure accounted for as a function of Massachusetts versus non-Massachusetts residency. As seen, Massachusetts patrons accounted for 79% of all reported gambling expenditure, 79.7% of all reported non-gambling expenditure at the casino, and 82.1% of non-gambling expenditure outside of the casino.

**Table 4. Self-reported Expenditures at Encore Boston Harbor by Residency**

		Unweighted N	Weighted N	Average (95% C.I.)	Median	Total (95% C.I.)	% of Total
MA Patrons	Gambling	280	1,950,208	303.9 (222.9, 384.8)	134.4	592,581,176 (420,931,383, 764,230,969)	79.0%
	Non-Gambling at Encore Boston Harbor	243	1,745,690	256.1 (161.8, 350.4)	51.0	447,115,973 (274,253,713, 619,978,233)	79.7%
	Non-Gambling outside Encore Boston Harbor	186	1,358,930	308.0 (200.0, 416.3)	95.1	418,512,565 (253,603,123, 583,422,008)	82.1%
Non-MA Patrons	Gambling	71	477,643	329.0 (174.6, 483.4)	132.9	157,130,228 (75,509,194, 238,751,263)	21.0%
	Non-Gambling at Encore Boston Harbor	74	472,902	240.2 (93.7, 386.8)	73.1	113,601,053 (39,220,441, 187,981,665)	20.3%
	Non-Gambling outside Encore Boston Harbor	59	431,716	211.3 (143.9, 278.7)	91.1	91,209,681 (49,102,493, 133,316,869)	17.9%
All Patrons	Gambling	351	2,427,851	308.8 (237.1, 380.5)	130.7	749,711,404 (564,825,759, 934,597,050)	100.0%
	Non-Gambling at Encore Boston Harbor	317	2,218,592	252.7 (172.2, 333.3)	53.2	560,717,026 (375,207,028, 746,227,024)	100.0%
	Non-Gambling outside Encore Boston Harbor	245	1,790,645	284.7 (200.5, 368.8)	95.2	509,722,246 (341,920,120, 677,524,373)	100.0%

Note: Italics indicates estimates are unreliable, relative standard error >30%.

### ***New Revenue/Spending***

While the *relative expenditure proportions* by Massachusetts or non-Massachusetts residency are likely accurate, the actual amounts reported are likely inaccurate due to the inherent unreliability of self-reported gambling expenditure (Williams, Volberg, Stevens et al., 2017; Wood & Williams, 2007). As evidence of this, the aggregated self-reported gambling expenditure in Table 4 (extrapolated to the general population of patrons over 12 months) is \$187 million over a 3-month period (\$750 million over 12 months), whereas Encore Boston Harbor reported \$148,748,000 in gambling revenue for the first quarter of 2022 (see Table 79 in Appendix J).

<sup>14</sup> The respective means are \$309 for gambling, \$253 for non-gambling at Encore Boston Harbor, and \$285 for non-gambling outside of Encore Boston Harbor. It should be noted that the mean values are influenced by a small number of high values.

Assuming that gambling revenue was similar for each quarter, the estimated annual gambling revenue of Encore Boston Harbor is \$594,992,000, which is only 79.36% of the \$749,711,404 projected self-reported gambling expenditures from the Patron Survey. Similarly, the aggregated self-reported non-gambling expenditure at Encore Boston Harbor by patrons in Table 4 is \$560,717,026 million projected over 12 months, whereas Encore Boston Harbor reported \$32,241,871 in non-gambling revenue (including lessees) in January and February, which projects to \$193,451,232 over 12 months<sup>15</sup>. Thus, the actual non-gambling revenue of \$193,451,232 is only 34.5% of the \$560,717,026 self-reported non-gambling expenditure at Encore Boston Harbor from the patron survey.

To arrive at more plausible expenditure amounts as a function of Massachusetts or non- Massachusetts residency we apply the proportions in the last column of Table 4 to the *actual* gambling revenue and non-gambling revenue reported by Encore Boston Harbor for calendar year 2022. This results in an estimated:

- \$470,043,680 of gambling revenue coming from Massachusetts residents ( $\$592,581,176 \times 79.0\%$ ) and \$124,948,320 from non-Massachusetts residents ( $\$592,581,176 \times 21.0\%$ ) for the calendar year 2022.
- \$154,180,631 of non- gambling revenue at Encore Boston Harbor coming from Massachusetts residents ( $\$193,451,232 \times 79.7\%$ ) and \$39,270,600 from non-Massachusetts residents ( $\$193,451,232 \times 20.3\%$ ) in calendar year 2022.

There are no reliable figures for actual revenue to businesses outside of Encore Boston Harbor. However, a reasonable approach is to take the aggregated self-reported expenditure outside of Encore Boston Harbor and apply the corrective weighting of 0.7936 that allowed self-reported gambling expenditure to match actual gambling revenue. Applying this weighting to self-reported non-gambling expenditure outside of Encore Boston Harbor (i.e., \$509,722,246) results in an estimated:

- \$404,515,574 ( $\$509,722,246 \times 0.7936$ ) being spent by Encore Boston Harbor patrons on non-gambling activities outside of Encore Boston Harbor for the calendar year 2022, with \$332,107,285 ( $\$404,515,572 \times 0.821$ ) being spent by Massachusetts residents, and \$72,408,287 ( $\$404,515,572 \times 0.179$ ) being spent by non-Massachusetts residents.

Adding all three areas of spending – gambling expenditure, non-gambling expenditure at Encore Boston Harbor, and non-gambling expenditure outside of Encore Boston Harbor – produces an estimated total gambling and non-gambling expenditure of \$956,331,597 by Massachusetts residents and \$238,627,208 by non-Massachusetts residents. Thus, in total, we estimate that Massachusetts residents account for 80.0% of all combined gambling and non-gambling expenditure and non-Massachusetts residents account for 20.0%

### **Recaptured Spending**

The previous section quantified an important economic impact of Encore Boston Harbor, which is the extent to which it captures out-of-state revenue. Encore Boston Harbor generates more money from in-state residents than from out of state residents. However, there are two other economic impacts of importance related to the spending behavior of Massachusetts residents. One is the extent to which Encore Boston Harbor has attracted or 'recaptured' spending from Massachusetts residents who would have otherwise spent their money at an out-of-state casino. The second is the extent to which Encore

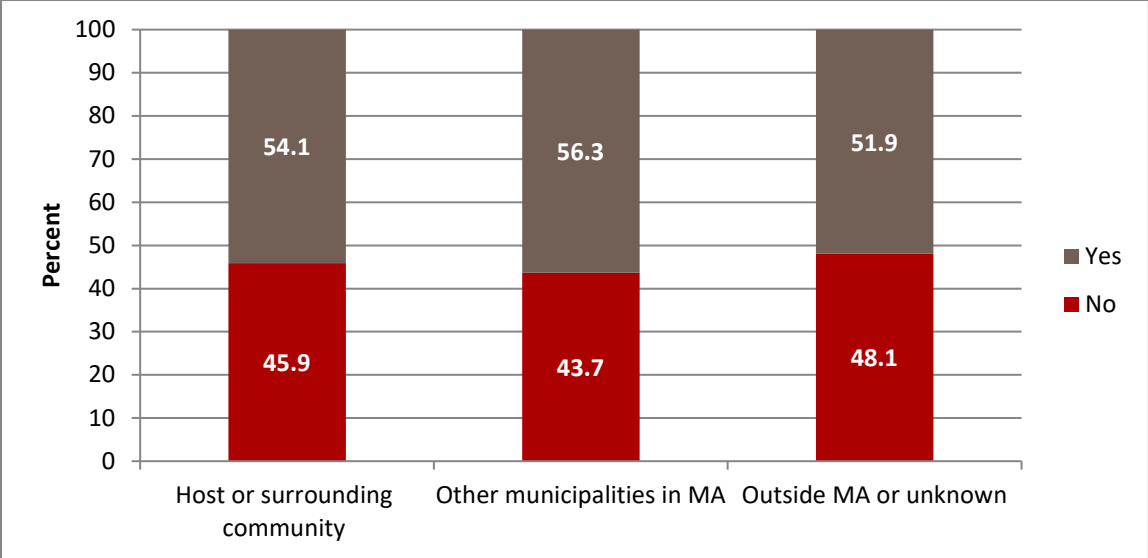
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<sup>15</sup> Note that the non-gaming revenue reported in Table 79 in Appendix J does not include the revenue from lessees.

Boston Harbor has caused Massachusetts residents to 'reallocate' their spending from other businesses within Massachusetts. All of this information is crucial to understanding the overall economic impact of Encore Boston Harbor. Patron survey data inform the subsequent economic modeling, which utilizes the PI+ economic impact model produced by Regional Economic Models Incorporated (REMI). The present report discusses the proportion of spending accounted for by different types of patrons. The results of the economic modeling will be included in an impact report on the first three-and-a-half years of Encore Boston Harbor operations, likely to be released in 2023.

A total of 54.5% of patrons reported that if there was not a casino in Massachusetts, they would have gambled in another state (see Table 80 in Appendix J). Figure 18 shows the proportion of patrons who would have gambled in another state if there were no casino in Massachusetts by the geographic origin of the patrons. The difference is not statistically significant by geographic region (see Table 81 in Appendix J). Among patrons who said that they would have gambled in another state, 75.4% indicated this would have been Connecticut and 48.4% indicated they would have gambled in Rhode Island (see Table 80 in Appendix J). These findings illustrate that Encore Boston Harbor is indeed attracting significant numbers of Massachusetts residents and out-of-state patrons who would have gone to other states to gamble.

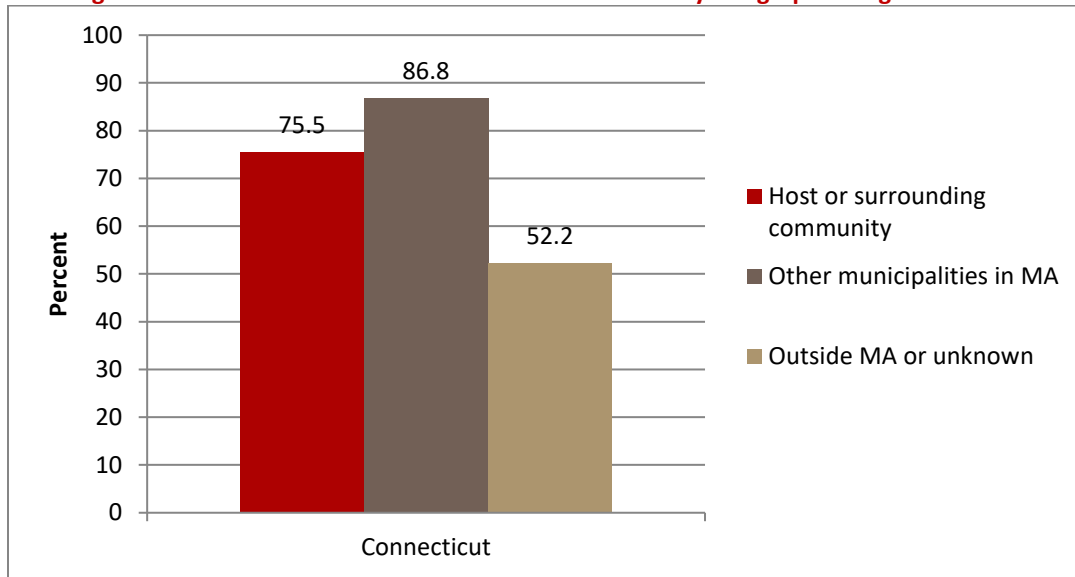
**Figure 18. Would Have Gambled in Another State by Geographic Origin of Patron**



Note: This information is also contained in Table 80 in Appendix J

Connecticut and Rhode Island were the states outside of Massachusetts identified by patrons as the most likely destinations to gamble if a casino had not been available in Massachusetts. This is consistent with Figure 15 earlier in the report, which showed that these were the two states *actually* visited most in the past year for casino gambling outside of Massachusetts. Figure 19 shows that 75.5% of patrons from the host and surrounding communities and 86.8% of the patrons from elsewhere in Massachusetts identified Connecticut as a state to visit, while 52.2% of the patrons from outside the state or origin unknown identified Connecticut as a state to visit. The difference is statistically significant.

**Figure 19. Other States Would Have Visited to Gamble by Geographic Origin of Patron**



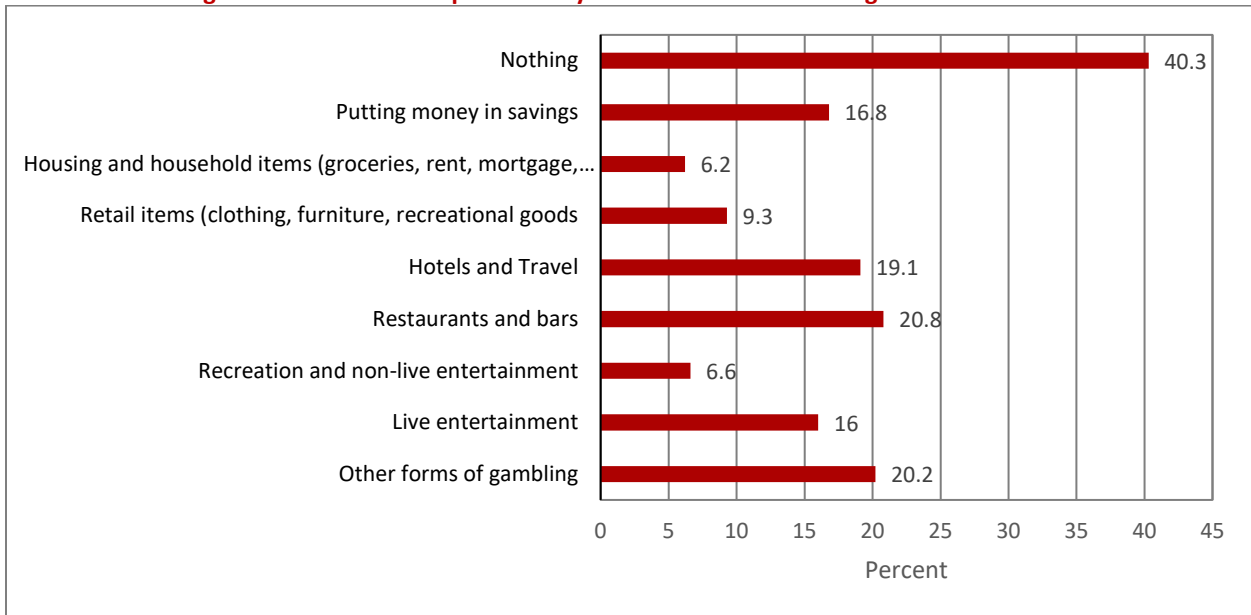
Note: This information is also contained in Table 80 in Appendix J

### ***Reallocated Spending***

Reallocated spending is spending on goods and services which would have occurred had the casinos never opened, but which did not occur because an individual chose to spend their money at the casino instead. Since not everyone thinks about their spending in terms of what they would have purchased instead of what they did buy, tracking reallocated spending can be a challenge. But it is important to make every effort to estimate reallocated spending, as shifts in spending can potentially affect the revenues of other businesses in the area. In order to estimate reallocated spending, patrons were asked what they were spending less money on as a result of having casinos in Massachusetts. A total of 40.3% of patrons indicated that there was nothing that they spent less money on as a result of casinos in Massachusetts. For the 59.7% of people who did report spending less money on other things, the specific goods and services where less money was spent are shown in Figure 20 below (see Table 80 in Appendix J). The most common items reported were spending in restaurants and bars, followed by spending on other forms of gambling (such as lottery products, bingo, or horse racing), hotels and travel, putting money into savings, and live entertainment. There were no significant differences by geographic origin (see Table 81 in Appendix J).



**Figure 20. Would have Spent Money on if not Casino Gambling in Massachusetts**



Note: Some data are not shown due to unreliable estimates or cell size less than 6.

Note: Table 80 in Appendix J also contains this information.

### ***Economic Modeling***

As mentioned above, the estimates derived from the patron survey will inform an economic model which will estimate the total economic impact of Encore Boston Harbor’s operations. When using an economic model, it is a best practice to use primary data on a firm’s operation, rather than modeled data, where available. For example, an economic model like the one used by the SEIGMA team would be able to create an estimate for the number of jobs supported by patron spending at the casino, as well as the wages paid to those employees, the additional demand for intermediate goods and services, and the new revenue accruing to state and local government entities. These estimates would be based upon parameters in the model, which are themselves informed by government data about the casino industry and local economic conditions.

In the case of this exercise, however, modeling these aspects of the casino’s economic impact is unnecessary, as actual data on all of these factors exist and are available to the SEIGMA team.<sup>16</sup> In this case, the model instead seeks to measure a more limited number of things, such as the economic impact of patron spending outside of the casino during their visit, the impact of patrons shifting their spending away from their previous spending patterns and towards the casino, and the impact of employees, vendors, and governments spending the money which they receive from the casino in their communities.

In order to derive estimates of these activities from the patron survey data, the SEIGMA team has developed a typology for casino patrons, which identifies six basic types of casino patrons based on the ways in which their spending can be expected to interact with the local and regional economy. Table 5 shows the patron types that are defined aligned with how they answered certain questions in the survey. These patron types were used to determine how spending by each patron type is treated in the

<sup>16</sup> The data that does not need to be modeled is the operational data collected from the casinos (i.e., employment, vendor spending, revenues, visitation, fiscal impacts, etc.).

REMI modeling. Below the table, we provide a detailed description of each of the casino patron types.

**Table 5. Patron Types for Economic Modeling**

Patron Code	Patron Type	Origin	Would have gambled elsewhere	Casino prompted visit (from MA)	Casino prompted visit (not from MA)
1	Recaptured In-State	In-State	Yes	Not applicable	Not applicable
2	Reallocated In-State	In-State	No	Yes	Not available
3	Reallocated In-State Incidental	In-State	No	No	Not available
4	New Out-of-State	Out-of-State	Not applicable	Not applicable	Yes
5	Captured Out-of-State	Out-of-State	Yes	Not applicable	No
6	Reallocated Out-of-State Incidental	Out-of-State	No	Not applicable	No

**Recaptured in-state patrons** are people who live in Massachusetts but who would have gambled out-of-state if not for the in-state option. For modeling purposes, we treat all spending reported by recaptured in-state patrons as new to the state. This includes their off-site spending, as we assume that, if Encore Boston Harbor did not exist, recaptured in-state patrons would be spending money on similar off-site expenditures, but in another state. Technically speaking, the on-site spending of recaptured in-state patrons is not used as an input in the model, as that spending goes to hire and pay employees, purchase intermediate goods and services, and pay state and local governments, all of which are captured in greater detail through primary, rather than modeled, data. The SEIGMA team has access to primary data on casino operations, so there is no need to estimate that activity based on reported patron spending. Patron survey data are only used to model shifts in spending throughout the Massachusetts economy, and since these patrons would have otherwise spent their money in establishments outside of Massachusetts, it is not included in the model.

**Reallocated in-state patrons** are people from Massachusetts who would not have visited Everett were it not for the casino, but who also would not have gambled out-of-state, for example, new tourism or recreational visitors to the region. In other words, these are patrons who, were it not for the casino, would have likely spent their money on goods and services other than gambling elsewhere in Massachusetts. The model represents this as a decrease in consumption of a general basket of goods and services in the region where the patron lives, equal to the on-site and off-site expenditures of the patron. However, the model represents a patron’s off-site spending as an increase in regional consumer spending, since this may be new spending for the host region.

**Reallocated in-state incidental patrons** are like reallocated in-state casino visitors, except that they indicated that Encore Boston Harbor did not prompt their visit to Everett. They may live in the city itself, or they may have been running errands or visiting family in Everett. Put simply, these patrons would have been in Everett regardless of the presence of a casino. The primary way that this affects the economic modeling is that we cannot assume that their spending outside of the casino was related to their trip to Encore Boston Harbor since they indicated that the casino did not prompt their visit to Everett. Therefore, spending by these patrons has been neither added to the model as new spending nor reallocated from another region.

**New out-of-state patrons** are visitors from other states who would not have visited Massachusetts were it not for Encore Boston Harbor. While these residents live outside of Massachusetts, they are the same

as recaptured in-state patrons for modeling purposes, as their expenditures during that visit would not have occurred within the Commonwealth if not for Encore Boston Harbor.

**Captured out-of-state incidental patrons** are people who would have visited Massachusetts regardless of whether or not Encore Boston Harbor existed, but who chose to gamble here rather than in their home state now that it does exist. These patrons live out-of-state, but reported that Encore Boston Harbor did not prompt their visit to Massachusetts. These patrons, however, reported that they would have spent the money that they spent at Encore Boston Harbor gambling at an out-of-state casino if the Massachusetts casino did not exist. These patrons may have visited to attend a concert, a sports event, or to visit with family. It is probable, however, that the length and expenditure of the stay would have been less if Encore Boston Harbor did not exist. These patrons do not have an effect on the model. Their spending at Encore Boston Harbor is already captured through employment, payroll, vendor spending, and fiscal data. The spending these patrons do off-site is assumed to be part of the regular course of their visit to Massachusetts, which would have occurred anyway.

**Reallocated out-of-state incidental patrons** are those whose visit to Massachusetts was not prompted by Encore Boston Harbor, and who would not have otherwise spent the money they spent at Encore Boston Harbor gambling out-of-state. In other words, they are out-of-state visitors who came to Massachusetts and chose to spend their time and money at Encore Boston Harbor instead of elsewhere in Massachusetts. Our economic model treats these patrons in a similar way to the reallocated in-state casino visitors. The one exception is that instead of the model reallocating the spending of these patrons from a regional consumption basket, it reallocates spending from a basket of goods and services frequently consumed by out-of-state tourists in Massachusetts.

#### **Shares of Recaptured and Reallocated Spending**

At this time, no better estimate of patron behavior at Encore Boston Harbor exists. For this reason, our future economic impact report will still utilize these data for purposes of apportioning known and estimated levels of patron spending. However, the lower level of confidence in patron behavior trends will be noted in that report.

Table 6 shows that recaptured in-state patrons – those who would have gambled elsewhere had it not been for the Massachusetts casino – contribute to a narrow plurality of both gambling and non-gambling spending at Encore Boston Harbor (45.2% and 64.4%, respectively). The next largest group in terms of share of spending is reallocated in-state patrons – those attracted to Everett by the casino – who make up 24.3% of gambling spending at Encore Boston Harbor. Unfortunately, response numbers for the other types of reported spending were not large enough to be reported. What can be discerned from the responses is that the majority of spending at Encore Boston Harbor can be attributed to either in-state patrons who would have otherwise have gambled out-of-state (recaptured in-state patrons) or in-state patrons who otherwise would not have visited Everett (reallocated in-state patrons).

At this time, no better estimate of patron behavior at Encore Boston Harbor exists. For this reason, our future economic impact report will still utilize these data for purposes of apportioning known and estimated levels of patron spending. However, the lower level of confidence in patron behavior trends will be noted in that report.

**Table 6. Share of On-site Spending by Patron Type<sup>17</sup>**

Patron group	Share of Gambling Spending	Share of Non-Gambling EBH Spending
1=Recaptured In-State	45.2%	64.4%
2=Reallocated In-State	24.3%	NA
3=Reallocated In-State Incidental	NA	NA
4=New Out-of-State	NA	NA
5=Captured Out-of-State Incidental	NA	NA
6=Reallocated Out-of-State Incidental	NA	NA

Note: Not Available (NA) indicates estimates are unreliable, relative standard error >30%.

The economic modeling exercise is based on a six-region division of the state (Figure 31 in Appendix J presents a map of the regions used in the economic modeling exercise). Of the spending by recaptured in-state patrons, people who would have gambled out of state, those from the Greater Boston region which includes Everett and several of the surrounding communities contribute 96.6% of gambling spending and 97.5% of non-gambling Encore Boston Harbor spending (Table 7).

**Table 7. Share of Recaptured On-Site Patron Spending by REMI Region**

REMI region	Share of Gambling Spending	Share of Non-Gambling MGM Springfield Spending
Pioneer Valley	NA	NA
Central	NA	NA
Greater Boston	96.6%	97.5%
Southeast	NA	NA
Cape and Islands	NA	NA

Note: Not Available (NA) indicates estimates are unreliable, relative standard error >30%.

Table 82 and Table 83 in Appendix J provide details of reallocated in-state on-site and incidental patron spending by REMI Region. In addition, Table 84 and Table 85 in Appendix J display off-site non-gambling spending, and casino patron off-site spending by REMI region.

### ***Expenditure by Household Income***

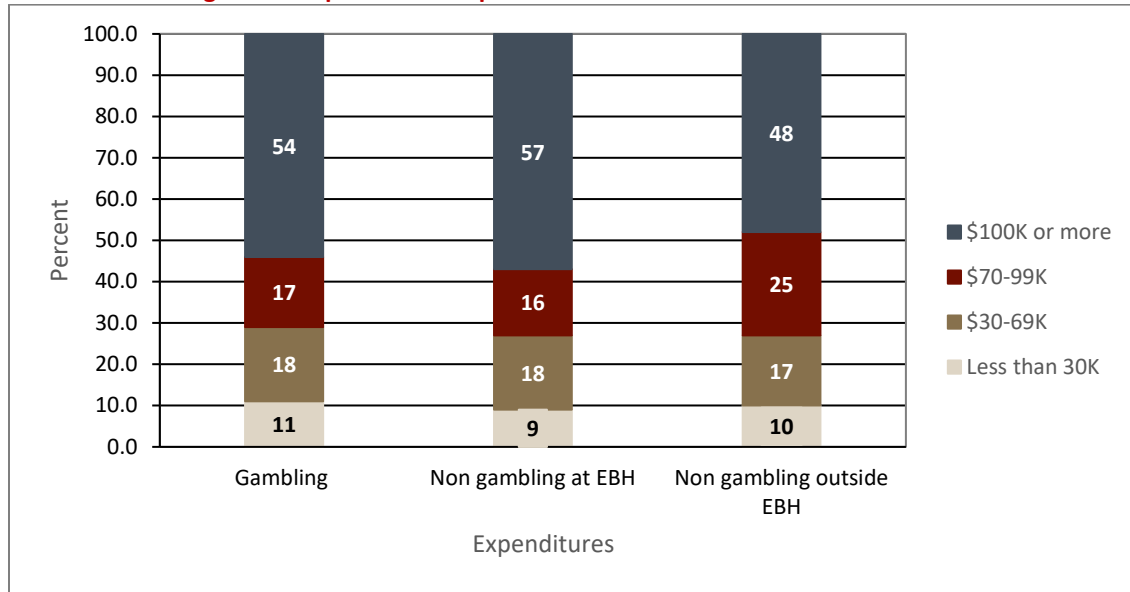
An important social issue concerns whether gambling acts as a form of regressive taxation, where people with lower incomes contribute disproportionately more to gambling revenues than people with higher incomes. We did not find that to be the case at Encore Boston Harbor. Most studies that have examined this issue, including our MGM Springfield Patron Survey Report, have found that gambling is usually economically regressive (Williams, Rehm, & Stevens, 2011). Although it is clear in most of these studies that individuals with lower incomes contribute proportionally more of their income to gambling compared to middle and high-income groups, average annual expenditure on gambling still tends to increase as a function of income category. Thus, middle and higher income groups still tend to be the primary contributors to total gambling revenue, which was also seen at Encore Boston Harbor.

Figure 21 shows patron expenditures on gambling and non-gambling amenities at Encore Boston Harbor as well as expenditures on non-gambling amenities outside the casino by household income group. As a

<sup>17</sup> Twenty-five respondents who were missing patron type were excluded from these calculations.

reference point, the median household income for Massachusetts in 2016-2020 was \$84,385 (U.S. Census).<sup>18</sup> Figure 21 illustrates that the 43% of Encore Boston Harbor patrons from income groups below the median Massachusetts household income (i.e., below \$70,000 category), accounted for only 29% of the reported gambling expenditures at Encore Boston Harbor, 27% of the non-gambling expenditures at Encore Boston Harbor, and 27% of non-gambling expenditures outside of Encore Boston Harbor.

**Figure 21. Expenditure Proportion for Households with Annual Income**



Note: Table 86 in Appendix J also contains this information

Figure 22 provides a more fine-grained analysis of gambling spending as a function of income group for Massachusetts patrons and the sub-group of patrons from the host and surrounding communities only. Looking at groups of patrons by household income, this impact can be analyzed in two ways. In the first instance, we can simply look to see if the patronage of the casino (brown bar) mirrors the population distribution in the general adult population (maroon bar). In the second instance, in terms of population impact, we can also measure what portion of the casino gambling revenue (tan bar) comes from each income group of the general population (maroon bar).

For all Massachusetts patrons, the lowest income groups (i.e., below \$30,000) represent 14% of the patrons and 13% of the general population; this group spent 10% of the gambling expenditures. For patrons from the host and surrounding communities with the lowest incomes, they are equally represented in the casino as they represent 15% of the patrons, 15% of the population of the same area, and account for 15% of the gambling expenditures.

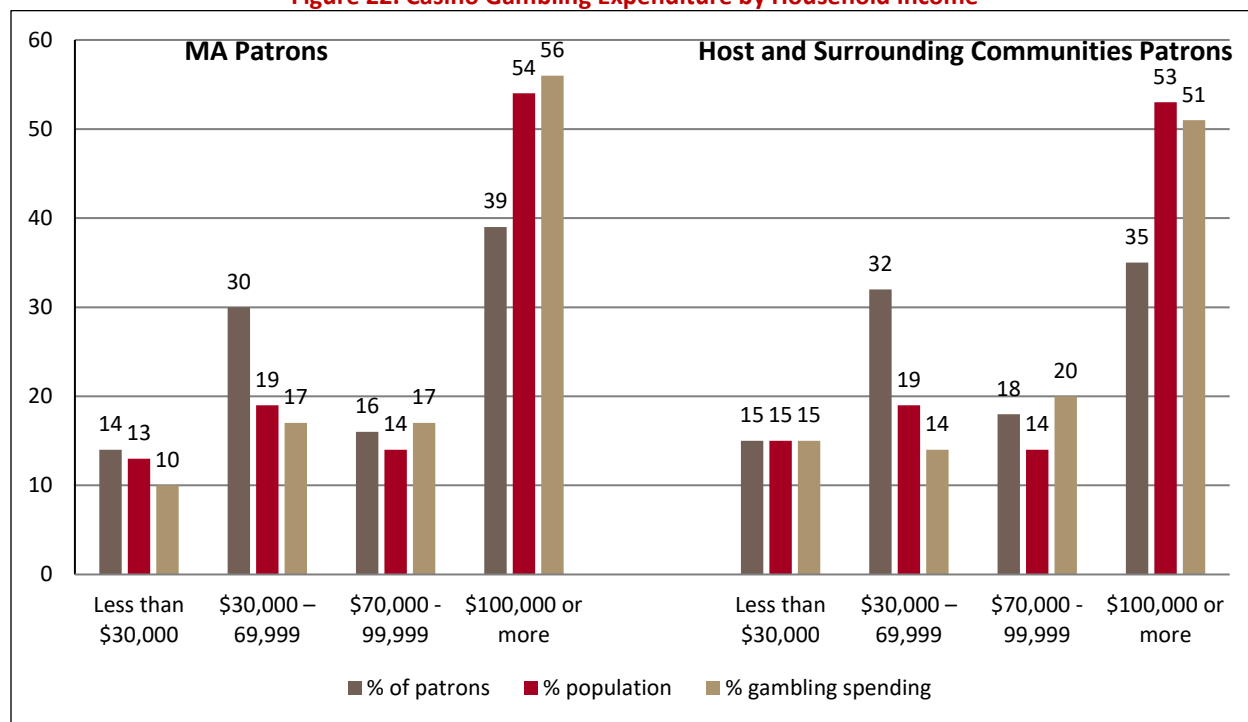
If we look at Massachusetts patrons from income groups below the median Massachusetts household income (i.e., below \$70,000 category), they are overrepresented in the casino (44% of patrons and 32% of the population), but only account for 27% of the gambling expenditures. For patrons from the host and surrounding communities, they were also overrepresented in the casino (47% of patrons and 34% of population of the same area), but similarly only accounted for 29% of gambling expenditure.

<sup>18</sup> Information can be found at <https://www.census.gov/quickfacts/fact/table/MA/INC110220>.

Patrons from the host and surrounding communities with the highest incomes represent only 35% of the patrons but 53% of the population of the same area, and account for 51% of the gambling expenditure. It should be noted, however, that only 39% of Massachusetts Encore Boston Harbor patrons had incomes greater than \$100,000. Thus, their per capita spending is higher than per capita spending by patrons with lower incomes.

As the graph shows, the lower-middle-income Massachusetts patrons (\$30,000-\$69,999) were overrepresented in the casino, representing 30% of the patrons, yet only representing 19% of the general population and accounting for 17% of the gambling expenditure. The pattern for the lower-middle-income patrons from the host and surrounding communities followed a similar pattern.

**Figure 22. Casino Gambling Expenditure by Household Income**



Note: Table 87 and Table 88 in Appendix J also contains this information

### Analysis of Asian Patronage

As referenced earlier in this report, the survey found that a quarter of patrons (24.9%) were Asian. For Massachusetts patrons, 24.3% were Asian, compared to their much smaller prevalence in the adult population of Massachusetts (7.1%). The percentage of Asian patrons from the host and surrounding communities was even higher (31.2%). Some Asian patrons responded to a question to further identify their specific race/ethnicity, with an option to check all that apply; 40% identified as Chinese, approximately one-fifth identified as Vietnamese, approximately one-fifth identified as Other Asian, and under 10% identified as Asian Indian.

Given the frequency of the complimentary shuttle bus service to and from the casino and the John F. Fitzgerald Surface Road at Kneeland Street in Boston, better known as “Chinatown,” this is hardly a surprise. Figure 23 shows the shuttle bus schedule posted at the casino during our data collection period. Buses departed Chinatown and the casino every half hour, with a break only between the hours of 8am-9:30am. Those patrons who identified as Asian were more likely to visit Encore Boston Harbor

on a weekly basis compared to Whites, with more than half indicating they visited at least weekly. For additional information, see Table 53 in Appendix G.

**Figure 23. Complementary Chinatown Shuttle Bus Schedule**

**John F Fitzgerald Surface Road  
at Kneeland Street, Boston, MA, 02111  
“天下為公”牌坊旁邊的巴士站**

Depart Surface Road at Kneeland Street 在 Kneeland 廣場 Surface Road	Depart Encore 從 Encore 賭場 賭場
10 a.m.	10 a.m.
10:30 a.m.	10:30 a.m.
11 a.m.	11 a.m.
11:30 a.m.	11:30 a.m.
12 p.m.	12 p.m.
12:30 p.m.	12:30 p.m.
1 p.m.	1 p.m.
1:30 p.m.	1:30 p.m.
2 p.m.	2 p.m.
2:30 p.m.	2:30 p.m.
3 p.m.	3 p.m.
3:30 p.m.	3:30 p.m.
4 p.m.	4 p.m.
4:30 p.m.	4:30 p.m.
5 p.m.	5 p.m.
5:30 p.m.	5:30 p.m.
6 p.m.	6 p.m.
6:30 p.m.	6:30 p.m.
7 p.m.	7 p.m.
7:30 p.m.	7:30 p.m.
8 p.m.	8 p.m.
8:30 p.m.	8:30 p.m.
9 p.m.	9 p.m.
9:30 p.m.	9:30 p.m.
10 p.m.	10 p.m.
10:30 p.m.	10:30 p.m.
11 p.m.	11 p.m.
11:30 p.m.	11:30 p.m.
12 a.m.	12 a.m.
12:30 a.m.	1 a.m.
1:30 a.m.	2 a.m.
2:30 a.m.	3 a.m.
3:30 a.m.	4 a.m.
4:30 a.m.	5 a.m.
5:30 a.m.	6 a.m.
6:30 a.m.	7 a.m.
7:30 a.m.	8 a.m.

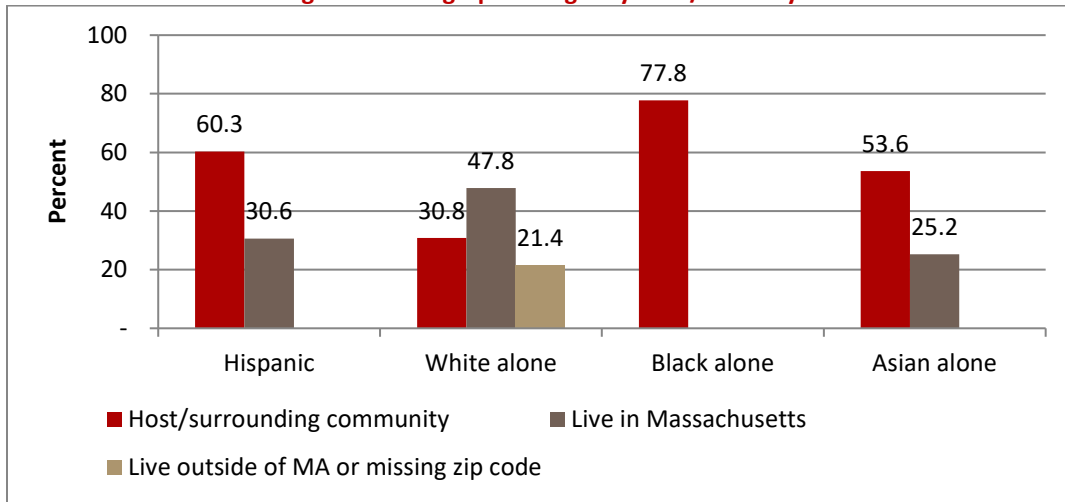
No Service: 8-9:30 a.m. — Resumes with 30 minute frequency at 10 a.m.  
 從早上 8 時至 9:30 時沒有巴士服務 — 10 點後每 30 分鐘恢復正常運作

Schedule subject to change.  
 時間表可能會更改

Photo courtesy of Encore Boston Harbor

Figure 24 shows patron geographic origin by race/ethnicity. With 40.8% of patrons identifying as non-White (44.4% if patrons of two or more races are included), it is clear most non-White patrons come from the host and surrounding communities. Of the 24.9% of Asian patrons, more than half (53.6%) were from the host and surrounding communities. Looking at the 7.6% of Hispanic patrons, 60.3% were from the host and surrounding communities. This number was even higher for the 8.3% of Black patrons, where more than three-quarters of them (77.8%) were from the host and surrounding communities. The opposite pattern holds for the 55.5% of White patrons, with only 30.8% coming from the host and surrounding communities.

**Figure 24. Geographic Origin by Race/Ethnicity**



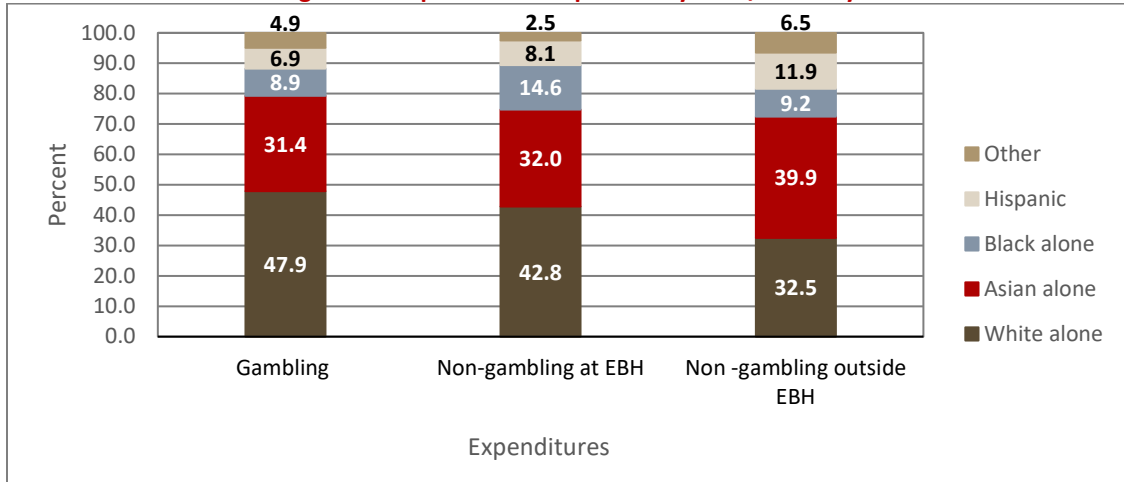
Note: This information is also contained in Table 60 in Appendix G

If we look at gender by race/ethnicity, there were no significant differences; the percentage of females ranged from 36.7% to 40.6% across race/ethnicity. There were higher numbers of Hispanic (52.8%) and Black (52.5%) patrons in the 30-50 age range than there were White (35.8%) patrons. The number of patrons who had some college or a Bachelor’s Degree was similar among all race/ethnicity groups (Hispanic 67.7%, Asian 64.4%, Black 63.5%, and White 61.8%). The percentage of White (21.9%) patrons with incomes less than \$50,000 was lower than Black patrons (32.4%), and highest among Hispanic patrons (36.7%). This information is also contained in Table 60 in Appendix G.

Figure 25 looks at expenditures on gambling and non-gambling at Encore Boston Harbor, and non-gambling outside of Encore Boston Harbor by race/ethnicity. While White patrons represented 55.0% of all patrons, they represented less in expenditures in all three areas (47.9% gambling, 42.8% non-gambling activities on-site, and 32.5% non-gambling activities off-site). Asians, accounting for 24.9% of patrons, accounted for 31.4% of gambling spending, 32.0% of non-gambling spending at the casino, and an even greater percentage of non-gambling spending outside of the casino (39.9%). Black patrons, representing 8.3% of patrons, were equally represented in gambling spending (8.9%) and non-gambling spending outside of the casino (9.2%), with a greater percentage (14.6%) of non-gambling expenditures in Encore Boston Harbor, which was similar to the 7.6% of Hispanic patrons (6.9% gambling, 8.1% non-gambling in Encore Boston Harbor, and 11.9% non-gambling outside of the casino).



**Figure 25. Expenditure Proportion by Race/Ethnicity**



Note: This information is also contained in Table 77 in Appendix J

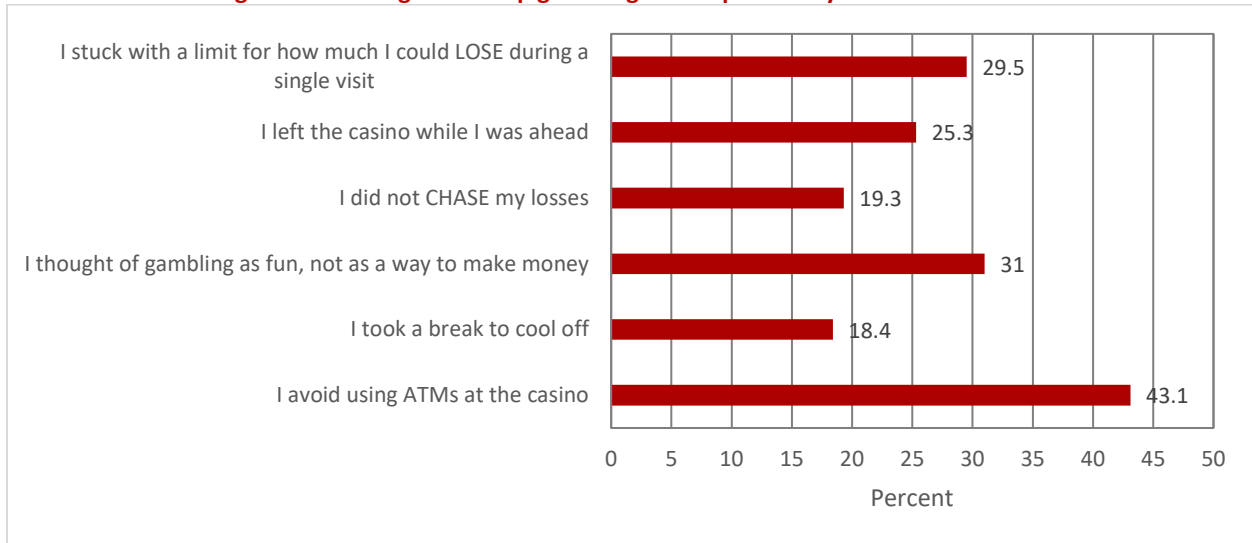
### Responsible Gambling and GameSense

The Patron Survey included two questions about strategies used to keep gambling within personal affordable limits, including utilization of GameSense, and the impact of these strategies. The GameSense Information Center is an on-site resource for gamblers to find out more about how the games work, the odds, gambling fallacies, and signs of problem gambling. When requested, GameSense Advisors also assist gamblers with voluntary self-exclusion. GameSense Advisors, funded by the Massachusetts Gaming Commission and trained by the The Massachusetts Council on Gaming and Health, are on-site at Encore Boston Harbor Casino 24-hours a day, 7 days a week. More information about GameSense can be found at <https://gamesensema.com>.

As shown in Figure 26, when asked about strategies used to keep gambling within personally affordable limits<sup>19</sup>, the top three responses were to avoid using the ATMs at the casino (43.1%), viewing gambling as fun and not a way to make money (31.0%), and sticking to a monetary limit (29.5%). For patrons from the host and surrounding communities, the top three strategies used were avoiding the ATM (49.2%), viewing gambling as fun and not a way to make money (31.3%), and leaving the casino while ahead (27.7%). Patrons from other municipalities in Massachusetts and outside of Massachusetts also selected ATM avoidance most frequently (38.9% and 38.5% respectively). These findings are not statistically different by geographic origin (see Table 86 in Appendix K).

<sup>19</sup> Patrons were allowed to check any strategy they had used in the past year.

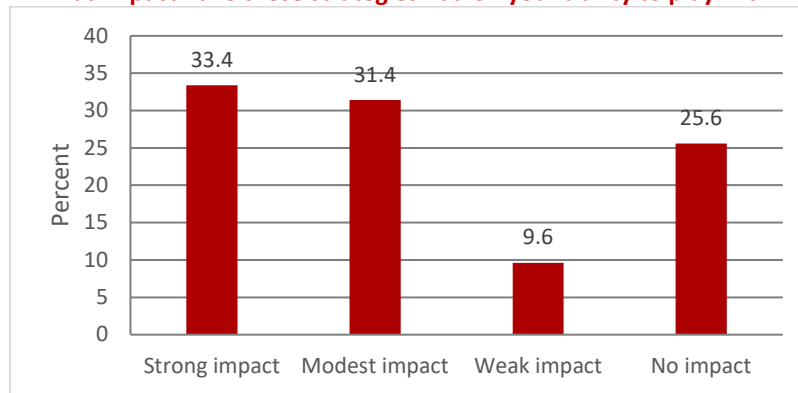
**Figure 26. Strategies to keep gambling within personally affordable limits<sup>20</sup>**



Note: Table 89 in Appendix K also contains this information

As shown in Figure 27, when asked about the impact these strategies had on their ability to play within their limits, the majority of patrons indicated a strong or modest impact (64.8%), and only about a quarter (25.6%) indicated no impact. For patrons from the host and surrounding communities, 72.0% reported a strong or modest impact, and only 14.2% indicated no impact. For patrons from outside of Massachusetts, however, only 48.3% indicated a strong or modest impact, while 47.7% indicated no impact (see Table 92 in Appendix K).

**Figure 27. What impact have these strategies had on your ability to play within your limits**



Note: Table 91 in Appendix K also contains this information

## Casino Patron Comparisons

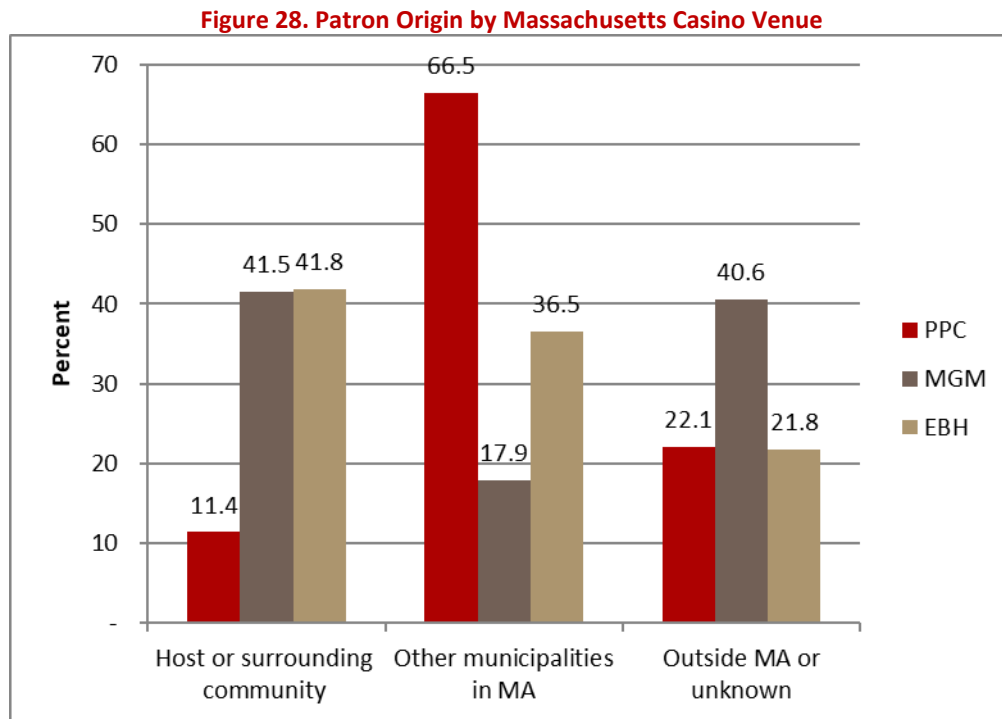
While a more in-depth comparison of Patron Survey data between the three Massachusetts casinos will be included in our upcoming integrative report, *Socioeconomic Impacts of Expanded Gambling in MA: 2024*, we wanted to conclude with some key comparisons of the results of the patron survey at Encore Boston Harbor with patron surveys carried out at Plainridge Park Casino in 2016 (Salame et al., 2017)

<sup>20</sup> Data for patrons who indicated they talked to a GameSense advisor and/or accessed a GameSense kiosk was not included in this figure as the number of patrons who selected that option was too small to report (<2%).

and MGM Springfield in 2019 (Salame et al., 2020). The three venues had staggered openings (Plainridge Park Casino on June 24, 2015, MGM Springfield on August 24, 2018, and Encore Boston Harbor on June 23, 2019), are located in different regions of the Commonwealth, and are also quite different in terms of their size, gambling offerings, and non-gambling amenities. The Encore Boston Harbor Patron Survey collected a total of 440 surveys, which represents a response rate of 15.4%. The MGM Springfield Patron Survey yielded 878 surveys with a response rate of 21.2%, while the Plainridge Park Casino Patron Survey produced 479 surveys with a 22.4% response rate.

## Geographic Origin

One important difference between the three venues is where they draw patrons from geographically. While only 11.4% of patrons at Plainridge Park Casino came from the host and surrounding communities, MGM Springfield (41.5%) and Encore Boston Harbor (41.8%) had much higher (and nearly identical) percentages (Figure 28). MGM Springfield had the smallest proportion of patrons from elsewhere in Massachusetts (17.9%) compared to Encore Boston Harbor (36.5%), while Plainridge Park Casino saw the greatest proportion (66.5%), keeping in mind that when the patron survey was done at Plainridge Park Casino, there were no other casinos open in the state. There was also a substantial difference in the proportion of patrons at the three venues drawn from outside the Commonwealth, with similar figures for Plainridge Park Casino (22.1%) and Encore Boston Harbor (21.8%), which were nearly half of what was seen at MGM Springfield (40.6%).

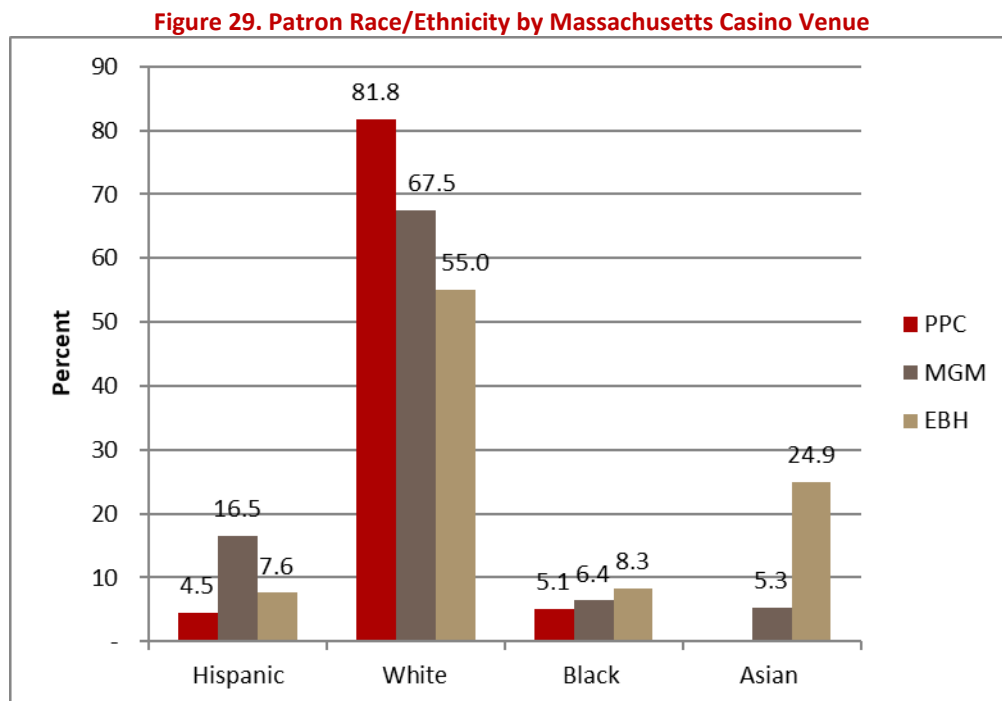


## Demographics

Other important differences were seen between patron demographic characteristics at the three venues. Encore Boston Harbor saw fewer female patrons (38.3%) than MGM Springfield (47.4%) and Plainridge Park Casino (48.3%). All three had similar proportions of male patrons (Encore Boston Harbor 55.2%, MGM Springfield 52.5%, and Plainridge Park Casino 51.6%).

For Massachusetts patrons, prior surveys saw very few gender differences between the number of patrons versus their representation in the general adult Massachusetts population. At Encore Boston Harbor, we saw fewer females (39.7%) than in the Massachusetts population (48.0%), and slightly fewer males (55.4% vs. 52.0%). However, the Encore Boston Harbor survey was the first to include an “I prefer not to say” option, so was the only venue with a reportable proportion of patrons who preferred not to indicate their gender (6.5%), and that may have influenced this analysis.

One of the most significant comparisons of the three venues was around the race/ethnicity of patrons, as shown in Figure 29. Encore Boston Harbor patrons were the most racially diverse, with 45% of patrons identifying as non-White compared to 32.5% at MGM Springfield and just 18.2% at Plainridge Park Casino. As previously stated, patrons at Encore Boston Harbor were significantly more likely to be Asian (24.9%) compared to MGM Springfield (5.3%) and Plainridge Park Casino (where the numbers were too low to report).



MGM Springfield had a greater number of Hispanic patrons (16.5%) compared to Encore Boston Harbor (7.6%) and Plainridge Park Casino (4.5%). Hispanic patrons from Massachusetts were overrepresented at MGM Springfield (16.3%) compared to their representation in the Massachusetts population (10.6%), and slightly underrepresented at Encore Boston Harbor (8.6% vs. 11.0%); the numbers were too low to report for Plainridge Park Casino.

Patrons at Encore Boston Harbor were slightly more likely to be Black (8.3%) compared to MGM Springfield (6.4%) and Plainridge Park Casino (5.1%). When looking at Massachusetts casino patrons compared to the Massachusetts population, Black patrons were overrepresented at Encore Boston Harbor (9.4% vs. 6.1%), underrepresented at Plainridge Park Casino (3.9% vs. 6.4%), and fairly well represented at MGM Springfield (6.2% vs. 6.6%).

At Plainridge Park Casino, 81.8% of the patrons identified as White compared with 67.5% of the patrons

at MGM Springfield and only 55.0% of the patrons at Encore Boston Harbor. Compared to the Massachusetts population, White patrons were overrepresented at Plainridge Park Casino (82.5% vs. 75.5%) but more underrepresented at Encore Boston Harbor (53.6% vs. 71.9%) than at MGM Springfield (68.3% vs. 73.4%).

All three casinos had the highest number of patrons in the 35-54 age range (Encore Boston Harbor 38.1%, MGM Springfield 37.6%, and Plainridge Park Casino 34.8%). Encore Boston Harbor and MGM Springfield saw far fewer patrons 55 or above (36.1% and 39.7% respectively) compared to Plainridge Park Casino (57.6%).

The proportion of patrons at Encore Boston Harbor with less than a high school education was higher than our past patron surveys (7.3% for all patrons, 6.3% for Massachusetts patrons), compared to MGM Springfield (3.4% for all patrons, 3.2% for Massachusetts patrons) and Plainridge Park Casino (4.7% for all patrons, 4.5% for Massachusetts patrons). However, it was still less than the Massachusetts general population (8.5% based on 2020 data for Encore Boston Harbor, 9.4% based on 2018 data for MGM Springfield, and 9.7% based on 2015 data for Plainridge Park Casino). Interestingly, the number of patrons who reported having completed their education at the Bachelor's Degree level or greater was significantly higher for Encore Boston Harbor (46.9%) compared to MGM Springfield (40.0%) and Plainridge Park Casino (38.2%).

In terms of total yearly household income, Encore Boston Harbor saw more higher income (\$100,000 or greater) patrons (40.4%) compared to MGM Springfield (34.9%) and Plainridge Park Casino (29.6%). When comparing Massachusetts patrons to the Massachusetts population, these higher income patrons were underrepresented at all three casinos (39.3% vs. 53.6% at Encore Boston Harbor, 30.3% vs. 49.4% at MGM Springfield, and 31.5% vs. 43.8% at Plainridge Park Casino).

Not surprisingly, there were fewer lower income (\$50,000 or less) patrons (24.6%) at Encore Boston Harbor than at MGM Springfield (36.2%) and Plainridge Park Casino (30.1%). The proportion of lower income patrons at Encore Boston Harbor and Plainridge Park Casino was very similar to the Massachusetts general population (24.2% vs. 22.2% and 29.0% vs. 28.2% respectively), unlike with MGM Springfield (38.0% vs. 24.5%).

## **Frequency of Visitation**

When looking at visitation, Encore Boston Harbor had a similar proportion of patrons (57.2%) indicating they were regular visitors (defined as visiting 2-3 times a month or more) when compared to Plainridge Park Casino (58.7%) and MGM Springfield (53.5%). About four out of ten (43.4%) of patrons at Encore Boston Harbor indicated visiting once a week or more, which was higher than at Plainridge Park Casino (39.3%) and MGM Springfield (32.8%).

Encore Boston Harbor patrons visited other Massachusetts casinos less frequently than patrons at the other Massachusetts casinos (only 19.3% vs. 45.0% for MGM Springfield patrons). Note that there were no other Massachusetts casinos opened when we conducted the Plainridge Park Casino survey. For those patrons who did visit casinos in another state in the past year, visits to casinos in Connecticut and Rhode Island were the most frequent among patrons at all three casinos (Encore Boston Harbor: 25.2% Rhode Island and 42.9% Connecticut; MGM Springfield: 12.0% Rhode Island and 66.7% Connecticut; Plainridge Park Casino: 55.9% Rhode Island and 72.3% Connecticut).

With regard to the gambling behavior of patrons at the three venues, the greater availability of non-gambling amenities at Encore Boston Harbor and MGM Springfield likely contributed to the much higher proportion of Encore Boston Harbor (10.8%) and MGM Springfield patrons (16.4%) who indicated that they did not gamble during their visit compared to the proportion of Plainridge Park Casino patrons (3.5%). Other differences relate to frequency of visits by patrons at the three venues.

One interesting comparison relates to frequency of visitation among all patrons compared with those from the host and surrounding communities. While only 17.6% of patrons at Encore Boston Harbor reported that they visited once a week or more, that proportion more than triples to 58.1% for patrons from the host and surrounding communities. A similar yet less stark difference was seen at MGM Springfield, with 32.8% of all patrons and 43.6% of patrons from the host and surrounding communities. At Plainridge Park Casino the opposite was seen, with 39.3% of all patrons compared with 18.2% of patrons from the host and surrounding communities visiting once a week or more.

Another interesting comparison relates to gambling and non-gambling expenditures by patrons at the three venues. First, it is notable that the proportion of total spending by Massachusetts-based patrons was actually highest at Encore Boston Harbor (80.0%) compared to Plainridge Park Casino (79.1%) and MGM Springfield (61.3%) This is despite the fact that Encore Boston Harbor was touted as a destination casino intended to attract a greater portion of out-of-state and international visitors.

It is also notable that the proportion of recaptured spending by Massachusetts residents at Encore Boston Harbor (54.5%) was similar to that reported by MGM Springfield patrons (52.7%), but much lower than the 69.8% reported by Plainridge Park Casino patrons. On the other hand, the proportion of reallocated spending at Encore Boston Harbor (59.7%) was higher than reported at MGM Springfield (46.1%) and much higher than reported at Plainridge Park Casino (16.3%).

Collectively, these results indicate that there is likely a significant net economic benefit of Encore Boston Harbor with 20% of revenue coming from out-of-state and 54.5% of Massachusetts patrons reporting they have redirected their casino spending from out-of-state to in-state. This is offset somewhat by the significant degree of Massachusetts casino spending that has simply been reallocated from other sectors of the Massachusetts economy (59.7%). Although the absolute magnitude of the economic benefit is greater for Encore Boston Harbor because of its much larger total revenue compared to MGM Springfield and Plainridge Park Casino, proportionally it can be argued that the latter two casinos create greater economic benefits for their size.

## Limitations

Patron surveys have several limitations that the reader should keep in mind. These include limitations associated with the sampling strategy developed for the survey, those associated with the analysis of expenditures, those associated with asking hypothetical questions about spending, and those related to the performance of the Demographic Accuracy Test. It should be noted that similar methodologic and analytic procedures were used for Encore Boston Harbor, MGM Springfield, and Plainridge Park Casino patron surveys in order to maintain consistency across venues.<sup>21</sup>

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<sup>21</sup> As previously stated, the methodology for the Encore Boston Harbor patron survey differed slightly from past surveys. First, the first data collection day was not within 6-12 months of opening due to the pandemic. Second, data collection was limited to one season only (there was no second collection period in the summer) based on past survey results showing little to no seasonal differences in patronage. Last, we intercepted every 5<sup>th</sup> patron instead

First, the development of projected expenditure totals for all Encore Boston Harbor patrons and the percentage of these expenditures that could be attributed to Massachusetts and non-Massachusetts residents are based on a non-probabilistic methodology. There was a diligent effort to implement a sampling design that best reflected the average Encore Boston Harbor patron. Based on multiple visits to the casino to assess visitation, days and times of the week were purposefully selected in an effort to increase representativeness. Nonetheless, randomness is not an attribute of the patron sample and reported results should be viewed in this context and with this limitation.

The patron survey relies on self-reported expenditures to determine statewide versus out-of-state levels of expenditure by patrons of the casino. Self-reported expenditure is challenging data to collect and to use. The weighting methodology employed attempts to correct for some of these implicit biases; however some of these projections are somewhat inferential. However, our intent is not to identify actual expenditures by patrons but rather to use proportional information to estimate expenditures by geographical origin. While research shows that self-reported gambling expenditure is fairly unreliable, the research is also clear that certain ways of assessing expenditure can significantly improve reliability and validity. The two important features of the present assessment that improved the validity of self-report were (a) the use of a very short and recent time frame (expenditure during the visit, rather than past month or past year) and (b) asking about 'spending' (implying a loss). The poor matches found by Heirene et al. (2022) and Australian household expenditure surveys (Worthington et al., 2007) is primarily due to those studies using much longer time frames and using wording known to produce the poorest match (i.e., asking about 'net outcome' or 'wins and losses') (Wood & Williams, 2007). The analytic approach used in this report, as in previous reports, is based on experimental evidence from sensitivity analyses. Although the match obtained with Encore Boston Harbor expenditures was not as robust as that found with Plainridge Park Casino, these investigations found that winsorizing had a very small effect on the results. While there are limitations with any analytic approach developed for use with expenditure data and while these limitations may produce variations in results, they are not likely to influence the proportional data used in this report. Throughout this report, when we reference findings related to information from and/or about the patrons, we are referring to the findings related to the weighted information from and/or about the respondents to this survey. We have taken great care to weight the sample to be as representative as possible of regular gamblers who contribute to casino patronage and revenue.

There are also limitations in asking hypothetical questions (i.e., whether the patron would have spent money on out-of-state gambling if a gambling venue in Massachusetts was unavailable and what they would have spent their money on if they had not come to this venue). Answers to these questions may reflect a mismatch between what people *say they would have done* versus *what they would have actually done*. Due to the limits of hypothetical questions, we avoided asking such questions whenever possible. Nonetheless, the hypothetical questions that we did include were critical in establishing the counterfactuals necessary to understand Encore Boston Harbor's impact on patron spending.

Finally, while the Demographic Accuracy Test developed to assess the accuracy of the surveyors using photographs to estimate demographic characteristics showed the surveyors performed well, the question of how the results of this test translate into accurate assessments of the face-to-face patron contacts during data collection warrants further investigation. As such, correcting for demographic differences in the people who took the survey versus those who did not does not necessarily correct for

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of every 6<sup>th</sup> patron.

possible attitudinal, behavioral, or personality differences, all of which have the potential to skew the results.

Overall, the response rate of 15.4% at Encore Boston Harbor was lower than our prior surveys (i.e., MGM Springfield 21.2% and Plainridge Park Casino 22.4%.) We can only speculate as to the possible reasons. One factor may be that the general layout of the facility made it more challenging to intercept people. For our busiest exit, people had often reached the elevator vestibule by the time we intercepted them, so were disinclined to come back out. At our three other exits, we were not on the gaming floor so people may have been more rushed to leave. There may have been different social norms than we saw at the other casinos, either culturally (with a higher percentage of Asian patrons who, research has shown, have a higher refusal rate) or pandemic-related (social distancing and withdrawal from normal activities may have impacted social skills). Due to the pandemic, some patrons and surveyors were wearing masks. This reduces the ability to observe full facial expressions, which may have impacted participation. Last, during some periods, there were lines of people entering the gaming floor, so those patrons may have been more eager to leave directly when they were done.



## License Plate Survey

License plate surveys, or license plate counts, were done concurrently with patron surveys at Encore Boston Harbor, as was done previously at at MGM Springfield and Plainridge Park Casino during those patron surveys. The purpose of the SEIGMA license plate count was twofold. The first was to test how well the results of this much simpler methodology approximates the Patron Survey’s more precise and detailed estimates of patron origin and spending. The second purpose was to provide some indication of the accuracy of prior estimates of out-of-state casino expenditure reported by the Northeastern (formerly New England) Gaming Research Project (NEGRP) conducted by the Center for Policy Analysis at the University of Massachusetts at Dartmouth. NEGRP carried out license plate surveys at New England casinos every two years between 2004 and 2014. These surveys formed the basis for assumptions about the amount of Massachusetts gambling revenue being lost to other states that could potentially be recaptured with newly established Massachusetts casinos.<sup>22</sup>

### Methodology

A two-person team conducted license plate counts of all guest parking areas during the same time periods and days that the patron survey was being administered. A copy of the License Plate Data Collection Instrument is provided in Appendix L. The license plate survey carried out by the SEIGMA team required some adjustments to correct for methodological problems in the Northeastern Gaming Research Project (NEGRP) approach as well as to synchronize the administration of our license plate survey with the administration of the patron survey. These differences are listed in Table 8. It is important to note that the Encore Boston Harbor license plate survey was done exclusively in the attached raised parking garage structure at the casino, and did not include any other nearby parking areas. Also, no counts were made for buses, as none were parked on site (buses drop off and pick up without staying on site).

**Table 8. Differences in the NEGRP and SEIGMA Encore Boston Harbor License Plate Surveys**

Methodology	Northeastern Gaming Research Project (NEGRP)	SEIGMA Plainridge Park Casino & MGM Springfield	SEIGMA Encore Boston Harbor
Time Period	Once a year in mid-February on the weekend that includes President’s Day on Monday	Twice a year, 6-12 months after venue opening, with one of these sampling periods being in July/Aug	Once a year (due to lack of seasonal differences), opening date not taken into account due to pandemic-related casino closures
Time Span	5 consecutive days (Thursday to Monday)	4 different days over 2-week span: Monday day; Saturday evening; Monday evening; Saturday day. This avoids the potential double, triple, and quadruple counting of the same vehicles that occurs with the NEGRP methodology and better captures the	Same as Plainridge Park Casino & MGM Springfield

<sup>22</sup> This method of data collection merely records the vehicles' registration state for the cars on the premises concurrent to our Patron Survey. As is true for past license plate surveys that have been done by other groups at other venues, such as the Northeastern Gaming Research Project, there is no way of knowing if the passengers of those cars are from the same state where the car is registered, for any number of reasons.

Methodology	Northeastern Gaming Research Project (NEGRP)	SEIGMA Plainridge Park Casino & MGM Springfield	SEIGMA Encore Boston Harbor
		variation in patronage that occurs at different times of year (though little difference was actually found)	
Time	9-11am + 2-4pm + 7-9pm + 12am-2am every day during the time span	11am-5pm or 6pm-12am depending on the day	10:30am-5:30pm or 5pm-12am depending on the day
Sample Size	At least 1,500 plates per day at Foxwoods, Mohegan Sun, and Twin River. At least 200 each day at Newport Grand Slots, Hollywood Casino, Oxford Casino.	All license plates.	Same as Plainridge Park Casino & MGM Springfield
Calculation of the Casino's Annual Percentage of Patrons from Each State	<p><u>Weekday</u></p> <ul style="list-style-type: none"> <li>% of cars from State X on Thu &amp; Fri * 0.667 * 0.88 + % of buses from State X on Thu &amp; Fri * 0.667 * 0.12</li> </ul> <p><u>Weekend</u></p> <ul style="list-style-type: none"> <li>% of cars from State X on Sat &amp; Sun * 0.303 * 0.88 + % of buses from State X on Sat &amp; Sun * 0.303 * 0.12</li> </ul> <p><u>Holiday</u></p> <ul style="list-style-type: none"> <li>% of cars from State X on Mon * 0.030 * 0.88 + % of buses from State X on Mon * 0.030 * 0.12<sup>1</sup></li> </ul> <p>Percentage of Patrons from State X = [(Weekend% * 2) + (Holiday% * 2)] + [Weekday%/2]<sup>2</sup></p>	Straight count of number of plates from each state. Full size buses are given a value of 12 cars. Half size buses are given a value of 6 cars. (Note: we did not collect data on a holiday.) (Note: for MGM Springfield there were no buses parked on site.)	Same as Plainridge Park Casino & MGM Springfield (Note: we did not collect data on a holiday.) (Note: for Encore Boston Harbor there were no buses parked on site).
Calculation of the Amount of Casino Revenue deriving from Each State	Annual total revenue for that facility divided by % of patronage from that state.	Same	Same

<sup>1</sup> 0.667, 0.303, and 0.030 are the percentages of weekdays, weekend days, and holidays, respectively, in a typical calendar year. The adjustment factors of 0.838 and 0.12 are the estimated percentages of patrons arriving by car and bus.

<sup>2</sup> Weekend and holiday percentages are multiplied by 2 due to casino management reports that visitation numbers on weekends and holidays are double weekday numbers.

## Weighting

Limited information was available to assist in developing weights for the license plate data. We did not know how the counted license plates totals related to the total number of vehicles using the garage in a

day. We simply knew that license plate counts were done twice on a weekday (Monday) and twice on a weekend day (Saturday). Since there are 5 weekdays and 2 weekend days, we assigned a weight of 5 for each count on weekdays, and a count of 2 for each count on weekends. The weights were multiplied by the counts for each time period.

## Results

The unweighted proportion of Massachusetts license plates is presented in Table 9.

**Table 9. Unweighted License Plate Counts**

Collection Period	Total # of License Plates	Total # MA License Plates	Percent of MA License Plates
Weekday	2,017	1,638	81.2%
Weekend	2,611	2,050	78.5%
Total	4,628	3,688	79.7%

Table 10 reports the geographic origin of all license plates during all of the sampling periods after weighting.

**Table 10. Geographic Origin of License Plates at Encore Boston Harbor (weighted)**

Dates	MA	CT	RI	NH	NY	NJ	ME	VT	PA	Oth	Tot
Day 1 Sat 4/2 10:30am-5:30pm	1306	42	10	174	16	22	38	18	4	46	<b>1676</b>
Day 2 Mon 4/4 5pm-12am	4945	150	45	460	95	20	125	15	20	250	<b>6125</b>
Day 3 Sat 4/9 5pm-12am	2794	68	36	282	68	50	76	28	8	136	<b>3546</b>
Day 4 Mon 4/11 10:30am-5:30pm	3245	45	60	295	80	15	70	20	10	120	<b>3960</b>
<b>Total #</b>	<b>12290</b>	<b>305</b>	<b>151</b>	<b>1211</b>	<b>259</b>	<b>107</b>	<b>309</b>	<b>81</b>	<b>42</b>	<b>552</b>	<b>15307</b>
<b>%</b>	<b>80.3%</b>	<b>2.0%</b>	<b>1.0%</b>	<b>7.9%</b>	<b>1.7%</b>	<b>0.7%</b>	<b>2.0%</b>	<b>0.5%</b>	<b>0.3%</b>	<b>3.6%</b>	<b>100.0%</b>

Table 11 presents the weighted geographic origin of all of the respondents in the patron survey versus the geographic origin of all license plates. As a reminder, there were 23 individuals in the patron survey whose geographic origin was unknown.

**Table 11. Geographic Origin of Patrons as Determined by the Patron versus License Plate Survey**

	MA	CT	RI	NH	NY	NJ	ME	VT	PA	Other	TOTAL
Patron Survey	84.9%	0.7%	0.8%	6.2%	1.0%	0.1%	1.3%	0.6%	0.2	4.4%	100.0%
License Plate Survey	80.3%	2.0%	1.0%	7.9%	1.7%	0.7%	2.0%	0.5%	0.3%	3.6%	100.0%

The next step in our analysis was to compare estimates of the percentage of revenue derived from Massachusetts versus non-Massachusetts residents in the patron survey and the license plate survey. The methodology historically used to determine proportional share of revenue from license plate surveys is to assume that this corresponds directly to the proportion of license plates from each state (i.e., the implication is that, on average, people spend the same amount regardless of origin). Using this approach, the license plate survey results suggest that 80.3% of all revenue comes from Massachusetts residents and 19.7% comes from non-Massachusetts residents. As indicated earlier in the report, results from the patron survey show that 80.0% of all gambling and non-gambling expenditure comes from

Massachusetts residents and 20.0% comes from non-Massachusetts residents. Table 12 displays this comparison.

**Table 12. Percentage of Revenue Accounted for by Patron versus License Plate Surveys**

	MA residents	Non-MA residents
Patron Survey	80.0%	20.0%
License Plate Survey	80.3%	19.7%

## Conclusion

The Encore Boston Harbor license plate survey appears to closely approximate the patron survey in estimating the geographic origin of the overall casino patronage as well as provide a very close match to the percentage of revenue accounted for by in-state versus out-of-state residents. In fact, the match between the license plate survey and the patron survey at Encore Boston Harbor is somewhat closer than the match between the same two surveys carried out at Plainridge Park Casino in 2016 (Salame et al., 2017).

While the overall estimate of expenditures is quite similar between the patron survey and the license plate survey, the specific proportions are quite variable as a function of type of expenditure. More specifically, while the patron survey showed that Massachusetts residents accounted for 80.0% of total expenditure, in terms of subcategories, these residents accounted for 79.0% of gambling expenditure, 79.7% of non-gambling expenditure at Encore Boston Harbor, and 82.1% of non-gambling expenditure outside of Encore Boston Harbor (see and Table 4).

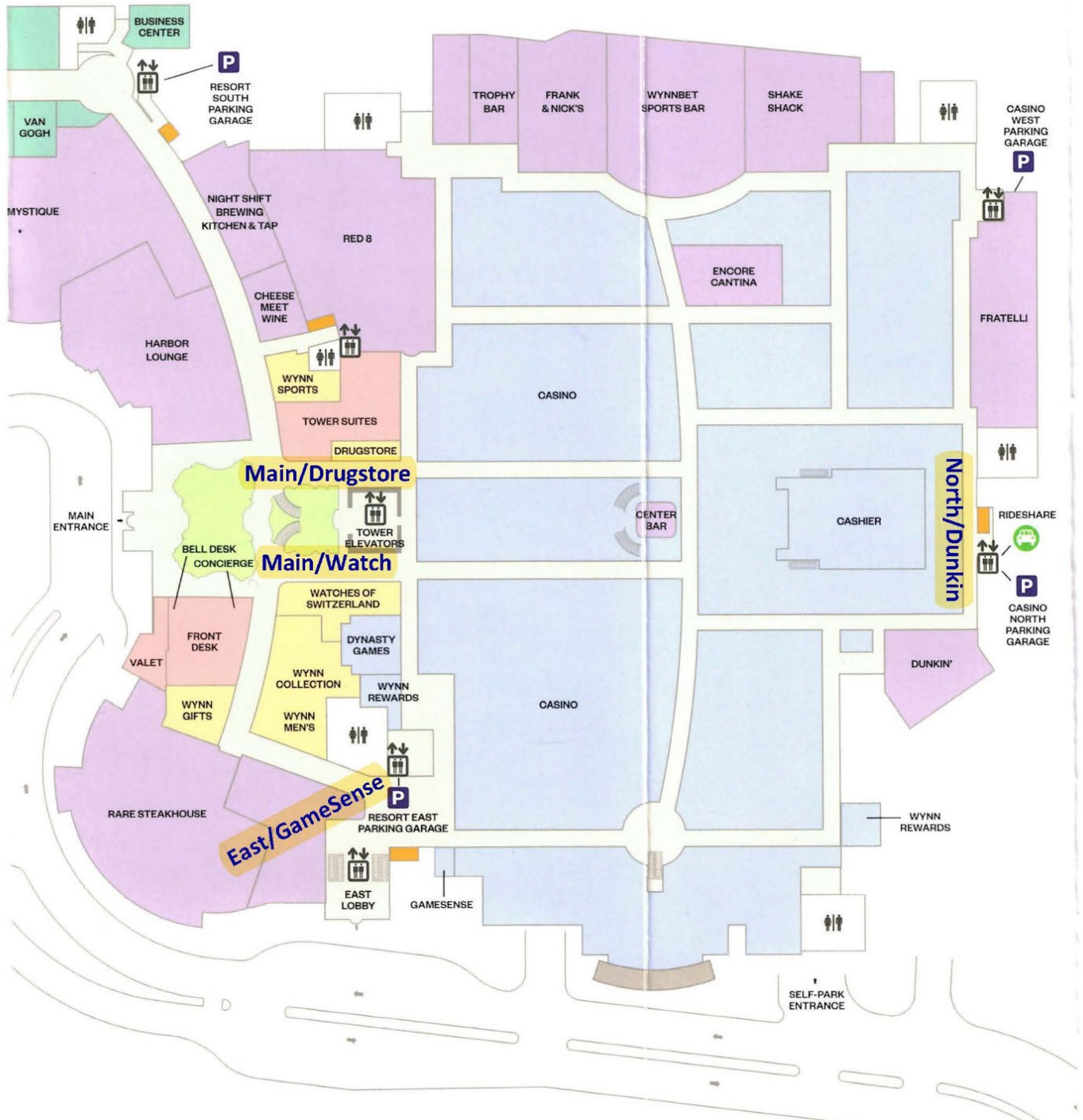
Only the methodology utilized by the patron survey allows for the collection of this more detailed spending information along with detailed data on patron demographics. Furthermore, unlike the license plate survey, the patron survey allows for estimates of non-gambling expenditure outside of Encore Boston Harbor. This more detailed information is required for the economic modelling analyses that will be included in the first Encore Boston Harbor operations report. Finally, although the present results provide support for prior NEGRP estimates of out-of-state Massachusetts casino expenditures, it is important to recognize that the sampling procedures used in the present study diverge somewhat from the NEGRP methodology. Thus, the precise accuracy of these previous estimates remains somewhat uncertain.

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# Appendix A: Encore Boston Harbor Main Floor

Figure 30. Encore Boston Harbor Main Floor



Note: Survey locations and main Encore Boston Harbor exits indicated with highlighted text



# Appendix B: Survey Team Script

Encore Boston Harbor Survey Scripts (use laminated translated scripts if needed with paper survey only)

## Solicitor:

Initial Approach:

- Hi, I'm \_\_\_\_\_, with UMass.
- Are you heading out? [If hotel guest: headed to room for the night=leaving]
- No: **Ok, thank you, perhaps we will see you when you leave.** (Record on refusal tally as not leaving)
  - Yes: (Go to next script)

Describe survey: (Prominently hold empty gift card envelop in your hand)

- I'm part of a research team and would like to give you a \$5 **Dunkin or Starbucks** gift card if you have 5-7 minutes to complete a **confidential** survey right over here. (point/indicate over to the table area)

If they are NOT interested:

- **Ok, thank you very much. Have a great [day/night].** (Record on refusal tally)

If they are interested:

- Have you already completed a survey this visit?
  - Yes: **We won't need you to do that again. Thank you very much.** (Record on refusal tally "already did")
  - No: (Continue to next script)

Walk patron to the private seating area where Table Monitor awaits. Return to Counter to wait for next patron.

## Table Monitor:

- We are hoping to understand the impact this facility has on the region and surrounding areas.
- All of your answers will be kept private and we will not ask you for your name or contact information.
- Taking part is up to you.
- You don't have to answer any question you don't want to.
- And you can stop at any time.
- Almost everyone is able to finish the survey in 5-10 minutes.
- You can complete the survey either on an iPad or on paper.
- If you don't want to complete the information on your own we can assist you in whatever way you want, like reading you the questions if you prefer.
- A paper version is available in Spanish, Mandarin, and Vietnamese though we can't read those to you.
- Do you have any questions? (If they say they don't want to participate now record tally on refusal chart)
- You can have a seat here and get started when you are ready.

NOW ok to give them iPad (preferred) or paper version and a survey #.

When done:

- Paper survey: collect survey # and survey (place in box)
- iPad: collect survey # and make sure iPad is ready for next survey
- Thank patron and give them <sup>the</sup> gift card
- Record survey # and initials on inventory sheet (save survey number with inventory sheet)

IF they want survey but weren't asked by you to complete one:

Thank you for offering, but unfortunately the surveys are counted and we can only give them out based on our counts of people leaving the facility.

IF they appear upset or uncomfortable while filling out the survey:

You seem uncomfortable. I'm going to ask my supervisor to come over.

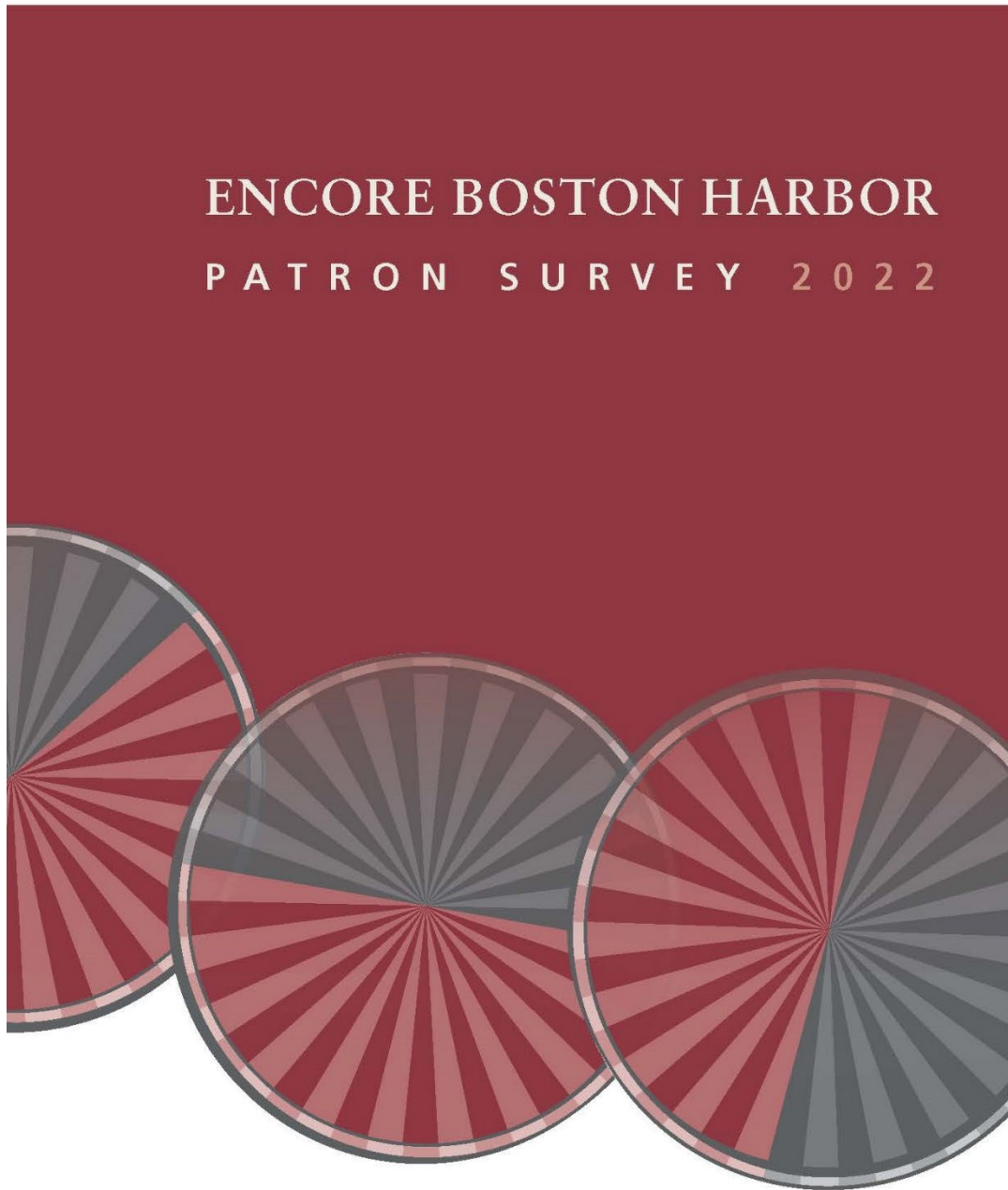
Incoherent patron:

I actually won't need you to participate today but thank you anyway.

If employee or other worker: Record on refusal tally as "non-patron"

US Zip Code:  
Unknown or doesn't want to give, use 99999  
International:  
just write in name of country

## Appendix C: Patron Survey Questionnaire



**SEIGMA**  **SOCIAL AND ECONOMIC IMPACTS  
OF GAMBLING IN MASSACHUSETTS**

UNIVERSITY OF MASSACHUSETTS SCHOOL OF PUBLIC HEALTH AND HEALTH SCIENCES



Instructions for  
completing the booklet

This booklet contains  
several types of questions.

*For some questions, you select **one** answer by checking a circle, like this:*

- Yes
- No

*For some questions, you select **multiple** answers by checking boxes, like this:*

- Connecticut
- Rhode Island
- New Jersey
- New York

*For some questions, you answer the question by filling in one number per box, like this:*

*You will sometimes be instructed to skip one or more questions. In this example, if your choice is 'No', you skip to question 22; otherwise you continue to the next question.*

- Yes
- No - GO TO QUESTION 22

1. Do you live in the United States of America?

a. If yes: To get started with the survey, please enter your home zip code:

b. If no: Please indicate the country you live in:

---

We would like to learn about how you got to Encore Boston Harbor today and your experience at the facility.

2. How did you get to Encore Boston Harbor today?

***Check all ways of transportation that apply.***

- My own vehicle or the vehicle of someone I am here with (***Check type of parking below.***)
  - Parked at the Encore main parking lot (valet or self-park)
  - Parked in an off-site parking lot
  - Found my own or private parking in the neighborhood
  - Other
- My rental car (***Check type of parking below.***)
  - Parked at the Encore main parking lot (valet or self-park)
  - Parked in an off-site parking lot
  - Found my own or private parking in the neighborhood
  - Other
- By taxi, rideshare (like Uber or Lyft), or limousine
- By charter bus, shuttle, private coach, or runner van
- By public transportation (such as the MBTA or commuter rail)
- By water (such as private boat, water taxi, water shuttle)
- By bicycle
- By foot (walked here)
- Part of my trip involved travel by airplane

3. Did you have any problems getting here? *Check all that apply.*

- No problems
- Got lost
- Lots of traffic
- Difficulty finding parking
- Long wait for transportation
- Limited bike lanes
- Limited sidewalks
- Road construction

4. Since Encore Boston Harbor opened in June 2019, how often have you visited this facility? (We know the casino was closed and/or had limited operations during the COVID-19 pandemic, but think about times when the pandemic was not an issue.)

- This is my first visit
- 4 or more times a week
- 2-3 times a week
- Once a week
- 2-3 times a month
- Once a month
- Less than once a month



If you live in Massachusetts, please answer Question 5.



If you do not live in Massachusetts, please skip Question 5 and go to Question 6.

5. What was your *main* reason for visiting Everett (the location of Encore Boston Harbor) today?

- To visit Encore Boston Harbor
- For shopping or recreation in Everett other than the casino
- To visit friends or family in Everett
- For business or work in Everett
- I live here
- Some other reason



If you live in Massachusetts, go to Question 9.

- 6.** What was your *main* reason for visiting Massachusetts today?
- To visit Encore Boston Harbor
  - For shopping or recreation other than the casino
  - To visit friends or family
  - To attend a convention, trade show, or large event
  - For business or work
  - Some other reason
- 7.** On this trip, how many days are you visiting Massachusetts?
- One day or less → GO TO QUESTION 9
  - More than one day
- 8.** Please enter number of days you are visiting Massachusetts on this trip: \_\_\_\_\_
- 9.** Do you have a loyalty or rewards card with Encore (e.g., Red Card)?
- Yes
  - No
- 10.** Overall, did you have an enjoyable time during your visit today?
- Yes
  - No
- 11.** Do you think you would return to this facility?
- Yes
  - No
  - Maybe

Now, we would like to learn a little more about what activities you enjoyed while you were on-site at Encore Boston Harbor today.

**12.** What non-gambling activities did you spend money on today **on-site** in Encore Boston Harbor? *Check all that apply.*

- Food or beverage
- Hotel
- Shopping
- Waterfront-related activities
- Entertainment (i.e. Mémoire or other nightclubs, live entertainment or performances)
- Spa or salon
- Other, please specify: \_\_\_\_\_
- None ➔ GO TO QUESTION 15

**13.** How much money in total did you—not including your family or friends, just **you**—spend on these non-gambling activities today?

\$

**14.** How much of this amount was spent on tips to **non-gaming employees** in Encore (i.e. valet parkers, food and beverage servers, hotel housekeepers, etc.)?

\$

**15.** If you gambled today, which gambling activities or games did you play? *Check all that apply.*

- I did not gamble today ➔ GO TO QUESTION 18
- Slots
- Table Games (poker, blackjack, craps, roulette, baccarat, pai gow, etc.)
- Lottery products (scratch tickets, etc.)

**16.** How much did you—not including your family or friends, just **you**—spend on these activities today? (For example, if you started with \$100 but are going home with \$60, you spent \$40.) Change the minus sign (-) in front of the number (-) in front of the number to a plus sign (+) if you are going home with more than you started with.

-\$

17. How much of this amount was spent on tips to **gaming employees** in Encore (i.e. dealers, slot machine attendants, etc.)?

\$

18. Other than Encore Boston Harbor, what other casinos have you visited in the past year? **Check all that apply.**

- Did not visit any other casino in the past year
- Other Massachusetts casinos
- Connecticut casinos
- Rhode Island casinos
- New Jersey casinos
- New York casinos
- Pennsylvania casinos
- Maine casinos
- Nevada casinos
- Canadian casinos
- Asian casinos
- European casinos
- Online casinos
- Other, please specify: \_\_\_\_\_

19. What did you like the most about your visit here today? (**You can pick up to 3 things.**)

- Playing the games
- How quickly and easily I could access the games
- The different food and beverage options
- The friendliness of the casino staff
- The non-gambling entertainment
- The convenient parking
- The variety of game choices
- The quality of the food and beverage
- The friendliness of the food and beverage staff
- The way the facility looks and feels inside
- The facility is non-smoking
- The shops and retail
- How easy it was to get here
- None of the above



Next, we would like to ask some questions about things you did outside of the casino facility during this visit.

**20.** What else did you do *in Massachusetts outside of Encore Boston Harbor* during this visit today (for example, on your way in or out of the casino, or during your visit to city or state)? *Check all that apply.*

- Attended an event, sporting event, exhibit, guided tour, or historic site (without live performance) such as:
  - Boston Duck Tours
  - USS Constitution Museum (“Old Ironsides”)
  - New England Aquarium
  - TD Garden
  - Museum of Science
  - Some other Boston-area location(s)
- Went to a live entertainment show, concert, or performance at some other venue
- Bought food or beverage in a restaurant, café, or other food outlet
- Visited a local bar, pub, or nightclub
- Went retail shopping at a downtown shop, store, or mall
- Stayed at a hotel outside of the casino
- Took public transportation around the city such as a public bus, the “T” subway, commuter rail, or a water shuttle
- Bought fuel or other goods at a gas station
- Spent money on other entertainment such as an amusement park, golf course, movie theater, etc.
- Nothing ➔ GO TO QUESTION 22

**21.** How much in total do you estimate you—not including your family or friends, just *you*—spent on these activities in Massachusetts outside of Encore Boston Harbor during your visit to this area today?

\$

**22.** If there were no casinos in Massachusetts, would you have chosen to spend the money you spent here today on gambling in another state or country?

- Yes
- No ➔ GO TO QUESTION 24

**23. Where? *Check all that apply.***

- Connecticut
- Rhode Island
- New Jersey
- New York
- Pennsylvania
- Maine
- Nevada
- Canada
- Asia
- Europe
- Online
- Other, please specify: \_\_\_\_\_

**24. As a result of the casinos in Massachusetts, are you spending less in any of the following areas? *Check all that apply.***

- Other forms of gambling (lottery products, sports betting, bingo, horse racing, etc.)
- Live entertainment (concerts, theater, live sports, etc.)
- Recreation and non-live entertainment (parks, clubs, museums, etc.)
- Restaurants and bars
- Hotels and travel
- Retail items (clothing, furniture, electronics, recreational goods, etc.)
- Housing and household items (groceries, rent, mortgage, utilities, personal and household supplies, etc.)
- Health care (doctors' visits, medication, health insurance, etc.)
- Transportation (cars, car parts, auto insurance, fuel, public transportation, etc.)
- Other services (education, other professional services, etc.)
- Putting money in savings
- Nothing, my spending did not change

**25. As a result of the casinos in Massachusetts, has your spending on the Massachusetts Lottery, including scratch tickets and keno:**

- Increased
- Decreased
- Stayed the same
- I don't play the Massachusetts Lottery



**26.** Has the COVID-19 pandemic increased the amount of online gambling you have done?

- No
- Yes

**27.** What impact, if any, has the COVID-19 pandemic had on your overall gambling behavior?

- It has had no impact on my gambling
- Overall, I have gambled less
- Overall, I have gambled more

You are almost done. We would like some demographic information about you. Of course, like the rest of the survey, your responses to these questions will be confidential.

**28.** Which best describes your current gender (or gender identity)?

- Female
- Male
- I identify my gender as (please specify): \_\_\_\_\_
- Prefer not to say

**29.** In what year were you born?

**30.** At present, are you...?

- Married
- Living with your partner
- Separated, but still legally married
- Divorced
- Widowed
- Never been married

**31.** What is your highest degree or level of school you have completed?

- Never attended grade or primary school
- Grades 1-8 or primary level
- Grades 9-11 or some secondary education
- Completed high school, GED, or secondary school
- Trade, technical, or vocational training
- Some college or post-secondary schooling but no degree
- Associate's degree or post-secondary certificate, diploma, or degree below a bachelor's degree
- Bachelor's degree
- Master's, Doctorate, or Professional degree beyond a bachelor's degree

**32.** Are you currently...? (Please pick primary activity.)

- Employed for wages
- Self-employed
- A homemaker
- A student
- Retired
- Out of work for more than 1 year
- Out of work for less than 1 year
- Unable to work

**33.** Have you ever served on active duty in the U.S. Armed Forces, military reserves, or National Guard? (Active duty does not include training for the Reserves or National Guard, but does include activation, for example, the Persian Gulf War.)

- Yes, on active duty now
- Yes, on active duty in the past, but not currently
- No, never served on active duty in the military

**34.** Is your approximate annual household income in U.S. dollars from all sources...

- Less than \$15,000
- \$15,000-29,999
- \$30,000-49,999
- \$50,000-69,999
- \$70,000-99,999
- \$100,000-124,999
- \$125,000-149,999
- \$150,000 or more

**35.** Which one or more of the following would you say is your race and/or ethnicity?

***Check all that apply.***

- White or Caucasian
- Hispanic or Latino
- Black or African-American—if yes, please check all that apply
  - Caribbean/West Indies
  - Puerto Rican
  - Other Black or African American
- Asian—if yes, please check all that apply
  - Asian Indian
  - Chinese
  - Vietnamese
  - Other Asian
- Native Hawaiian or other Pacific Islander
- Native American or Alaskan Native
- Some other race, please specify: \_\_\_\_\_

You have reached the final section. In closing, we would like to ask you about your experiences playing the games and *GameSense*.

**36.** Some people use strategies to keep their gambling within personally affordable limits. Have you used any of these strategies in the past year?

*(Check any strategy you have used in the past year.)*

- I avoided using ATMs at the casino.
- I took breaks to cool off.
- I thought of gambling as fun, not as a way to make money.
- I did not "chase" my losses.
- I left the casino while I was ahead.
- I stuck with a limit for how much I could **lose** during a single casino visit.
- I talked to a GameSense advisor at Encore Boston Harbor and/or accessed a GameSense kiosk.
- Other, please specify: \_\_\_\_\_

**37.** What impact have these strategies had on your ability to play within your limits?

- Strong impact
- Modest impact
- Weak impact
- No impact

**Thank you!**

You have reached the end of the survey.

Be sure to get your thank you gift from our interviewer!

Thank you on behalf of the University of Massachusetts Amherst for the time and effort you've spent answering these questions. If you have any questions about this survey, please refer to the information on our handout.

## Appendix D: Item Response Rate and Refusal Rate

**Table 13. Item Response Rate (%) by Data Collection Mode**

Question	IPAD	Print
Do you live in the US?	100.0	100.0
How did you get to Encore today?	98.8	96.7
Did you have any problems getting here?	97.6	96.7
Since Encore opened in June 2019, how often have you visited this facility?	93.9	100.0
What was the main reason for visiting Everett today?	98.5	100.0
What was the main reason for visiting Massachusetts today?	99.5	100.0
On this trip, How many days are you visiting Massachusetts?	99.3	93.3
Please enter the number of days you are visiting Massachusetts on this trip	98.0	93.3
Do you have a loyalty or rewards card with Encore (e.g. Red Card)?	98.5	100.0
Overall, did you have an enjoyable time during your visit today?	97.8	96.7
Do you think you would return to this facility?	98.3	96.7
Non-gambling activities you spent money on	98.5	93.3
Amount Spent on Non Gambling Activities today	93.2	93.3
Amount Spent on tips to Non Gambling employees in Encore	85.9	90.0
If you gambled today, which gambling activities or games did you play: Did not gamble today	98.3	96.7
How much did you spend on these (gambling) activities?	89.8	93.3
Amount Spent on tips to Non Gambling employees in Encore	84.4	76.7
Where were the casinos you visited in the past year?	95.6	90.0
What do you like the most about your visit here today? You can pick up to 3 things?	96.8	93.3
What else did you do in MA outside of Encore during your visit today?	83.2	80.0
How much in total do you estimate you spent on activities in MA outside of Encore during your visit to this area today?	79.0	56.7
If there wasn't a casino in Massachusetts, would you have chosen to spend the money you spent here on gambling in another state or country?	87.8	86.7
Where would you have spent money at a casino in?:	86.8	83.3
Due to casinos in MA, are you spending less in?: other forms of gambling	93.4	83.3
As a result of casinos in MA, has your spending on MA lottery, including scratch tickets and Keno?	95.4	90.0
Has the COVID-19 pandemic increased the amount of online gambling you have done?	95.1	93.3
What impact, if any, has the COVID-19 pandemic had on your overall gambling behavior?	92.9	90.0
Gender identity	96.1	93.3
What year were you born?	83.9	83.3
At present are you married?	94.2	90.0
What is your highest degree or level of school you have completed?	94.6	93.3
Are you currently...(employment)	94.4	93.3
Have you ever served in active duty in the US Armed Forces, military reserves, or National Guard?	94.2	93.3
What is your approximate annual household income from all sources	93.4	93.3
What is your race	92.9	100.0
Strategies to keep gambling within personally affordable limits	88.8	86.7
What impact have these strategies had on your ability to play within your limits?	87.3	83.3

**Table 14. Refusal Rate by Day of Week, and Time of Day**

	# refused		# accepted	total	refusal rate	p-value <sup>16</sup>
<b>Day of week</b>	Saturday	1587	288	1875	0.85	0.95108
	Monday	832	152	984	0.85	
<b>Time of day</b>	10:30am -5:30pm	916	180	1096	0.84	0.22732
	5pm - midnight	1503	260	1763	0.85	

<sup>16</sup> Chi-square test for independence.

**Table 15. Patron-reported Gambling Expenditures Compared to Encore Boston Harbor-reported Gambling Revenue (weighted) (n=351)**

Winsorization Method	Standard Deviations	Mean	SE Mean	Lower 95% Limit Mean	Upper 95% Limit Mean	Total Patron-reported Gambling Expenditures	SE Total	Lower 95% Limit Total	Upper 95% Limit Total	Patron-reported Gambling Expenditures /Encore Boston Harbor-Estimated Gambling Revenue <sup>1</sup>
Did not winsorize wins or losses	0	-504	73	-360	-648	-\$1,233,625,625	\$184,453,657	-\$871,103,742	-\$1,596,147,507	-2.07
Winsorize wins and losses	2	-219	37	-293	-146	-\$532,667,547	\$94,698,960	-\$718,787,171	-\$346,547,922	0.90
	3	-223	41	-304	-142	-\$541,843,546	\$103,695,163	-\$745,644,144	-\$338,042,948	0.91
	4	-223	45	-313	-134	-\$542,533,496	\$113,236,507	-\$765,086,480	-\$319,980,511	0.91
Winsorize losses	2	-178	55	-285	-70	-\$431,728,871	\$135,014,308	-\$697,083,552	-\$166,374,191	0.73
	3	-192	56	-302	-81	-\$465,003,532	\$138,735,639	-\$737,672,048	-\$192,335,016	0.78
	4	-200	58	-314	-87	-\$486,694,983	\$142,437,875	-\$766,639,807	-\$206,750,159	0.82
Winsorize losses (wins set to \$0)	4	-309	36	-380	-237	-\$749,711,404	\$94,739,721	-\$935,911,139	-\$563,511,669	1.26

<sup>1</sup>Encore Boston Harbor-estimated gambling revenue<sup>23</sup>: \$594,992,000

<sup>23</sup> Encore Boston Harbor gambling revenue for the 1<sup>st</sup> quarter of 2022 was \$148,748,000 (see [here](#)), so an estimate of their annual gambling revenue would be 4 times that would be \$594,992,000.

## Appendix E: Demographic Accuracy Test

Name: \_\_\_\_\_

Date: \_\_\_\_\_







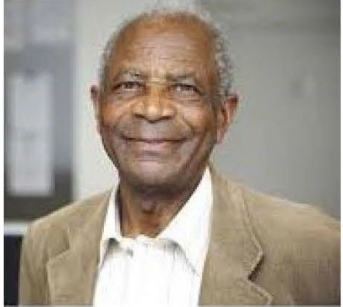



- Please refer to the pictures shown on the screen.
- For each picture estimate the gender, race, and age of each person shown.
- Things will move fast, so just do your best based on your first glance!
- Please do this task yourself without any assistance.
- Record your answers below using the following key:



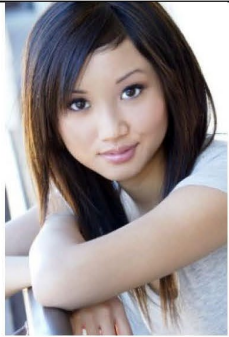

		<30	30-50	50+
<b>Male</b>	White	A	B	C
	Asian	D	E	F
	Black	G	H	I
<b>Female</b>	White	J	K	L
	Asian	M	N	O
	Black	P	Q	R


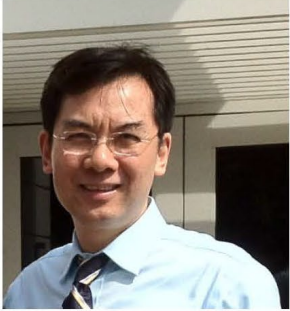








Your Answers:

Question #	Answer	Question #	Answer	Question #	Answer	Question #	Answer
1		10		19		28	
2		11		20		29	
3		12		21		30	
4		13		22		31	
5		14		23		32	
6		15		24		33	
7		16		25		34	
8		17		26		35	
9		18		27		36	






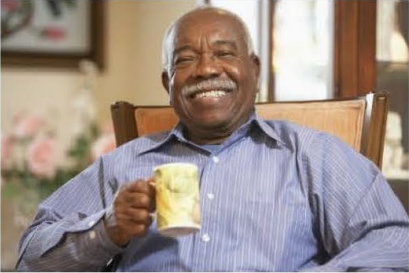


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## Appendix F: Weighting Calculations

Briefly, the patron survey plan called for data to be collected on patrons in one calendar period: the winter/spring period following the opening of the Encore Boston Harbor on June 3, 2019. Originally, the Encore Boston Harbor patron survey was to be conducted in Winter/Spring of 2020, but due to the pandemic, it was delayed for 2 years. The Encore Boston Harbor patron survey was conducted in April 2022. The hours of a week were divided into ‘weekday hours’ (including the 114 hours from 12AM Monday morning to 6 PM Friday evening) and ‘weekend hours’ (including the 54 hours from 6PM Friday to 12AM Monday). During each of these periods, patron survey data were collected for 14 hours. The 14 hours were divided into two seven-hour intervals: 10:30AM-5:30PM, and 5-12PM. The key features of the survey design are summarized in Table 16.

**Table 16. Encore Boston Harbor Patron Survey Design**

Calendar Periods	Weekday/Weekend Hours	Data Collection Intervals
Winter/Spring (Dec – May)	Weekday (Monday – 6pm Friday)	Monday: 10:30AM-5:30PM
		Monday: 5-12PM
	Weekend (6pm Friday – Sunday)	Saturday: 10:30AM-5:30PM
		Saturday: 5-12PM

The weekday data collection intervals were from 5PM-Midnight on Monday, 4/4/2022, and from 10:30AM-5:30PM on Monday 4/11/2022. The weekend data collection intervals were from 10:30AM-5:30PM on Saturday, 4/2/2022, and from 5PM-Midnight on Saturday, 4/9/2022. In each seven-hour data collection interval, an effort was made to ask every 5<sup>th</sup> exiting person from the main/drugstore, main/watch, East/GameSense and North/Dunkin exits to complete a patron survey. When a person declined to participate in the survey, survey staff recorded (using their judgement) the persons age (<30, 30-50, 50+), race (White, Black, Asian, other), and gender (female, male).

### Developing Weights for the Encore Boston Harbor Patron Survey Respondents

#### Determining the Sampling Fraction of Exiting Patrons

We define two strata based on 52-week calendar period, and weekday/weekend hours. The calendar periods correspond to each month. We define the weekday hours as beginning at 12:01 AM Monday and ending at 6 PM on Friday. The weekend hours are defined as beginning at 6:01 PM Friday and ending at 12:00AM Monday. The strata are indexed by  $t = 1, \dots, T = 2$ , where

- $t = 1$  corresponds to the weekday hours;
- $t = 2$  corresponds to the weekend hours.

In each week, there are 114 hours in the weekday, and 54 hours in the weekend.

We use the data collection interval (in hours) during an average week in each stratum,  $E_t$ , along with the total number of hours in the stratum,  $E_t^*$ , to determine the sampling fraction,  $f_t = \frac{E_t}{E_t^*}$  for each stratum.

These results are given in Table 17.

Based on the interval surveyed at Encore Boston Harbor, 12.3% of the total hours in the stratum were survey hours during the weekdays, while 25.9% of the total hours in the stratum were survey hours during the weekends. If the same number of patrons exited Encore Boston Harbor each hour, these percentages would be the percentages of exiting patrons in the survey.

We do not believe the number of exiting patrons is equal in each hour during the week, or in each hour during the weekend. In fact, the survey data collection intervals were selected to have a relatively large number exiting patrons compared to other time periods during the week. The decision to collect survey data during such time intervals was made to reduce survey costs.

Since we believe that the proportion of exiting patrons in the survey interval was larger than the proportion of survey hours among the weekday hours, or among the weekend hours, we need an estimate of these proportions. If the number of exiting patrons per hour were known at the Encore Boston Harbor, we could use such data to make such estimates. Unfortunately, a count of the number of exiting patrons at Encore Boston Harbor each hour was not available. However, such data were available at the Plainridge Park Casino.

With this background, we examined the Plainridge Park Casino data. The ultimate goal is to estimate the proportion of exiting patrons at the Plainridge Park Casino during a data collection interval where data collection intervals are defined to be the intervals used at the Encore Boston Harbor. The data available from the Plainridge Park Casino are the 2016 TRAFSYS patron entry data. Using these data, we calculate the proportion of exiting patrons at Plainridge Park Casino that we would expect if the Encore Boston Harbor patron sampling protocol was used in Plainridge Park Casino. This calculation assumes that the number of entering patrons at Plainridge Park Casino is similar to the number of exiting patrons in 2016.

The results are given by percentages in the last column of Table 17.

**Table 17. Encore Boston Harbor Sampling Fraction based on Sample Time, and Based on 2016 Plainridge Park Casino TRAFSYS data**

		Encore Boston Harbor Patron Times			Plainridge Park Casino	MGM Springfield
t	Weekday, Weekend	Interval Surveyed (Hours) A	Hours in Interval B	Sampling Fraction (Percent of Hours) C=100*(A/B)	Sampling Fraction based on TRAFSYS Data	Sampling Fraction Based on Sample Time
1	Weekday	14	114	12.3%	14.1%	10.5%
2	Weekend	14	54	25.9%	37.3%	22.2%

The percentages indicate that the sampling interval used in the Encore Boston Harbor patron survey would likely capture a larger proportion of exiting patrons than indicated by the simple percent of hours of data collection. This observation has face validity since patron survey data collection intervals were selected to have a relatively large number exiting patrons compared to other times in the week. If the patterns in timing of exiting patrons are similar over a 24-hour period between the Plainridge Park and Encore Boston Harbor casinos, we would expect the percent of patrons exiting during the sampling period at Encore Boston Harbor to more closely match the percent reported from Plainridge Park Casino (Table 17) than from the sampling fraction of data collection hours. This conclusion assumes that the relative number of exiting patrons over hours of a week at the Plainridge Park Casino in 2016 is proportional to the relative number of exiting patrons

at the Encore Boston Harbor in 2022.

### Weight assigned to an Exiting Patron Asked to Complete a Patron Survey

We use the sampling fractions of exiting patrons in Table 17 based on the Plainridge Park Casino TRAFSYS data to define a weight for the  $s^{th}$  sampled patron in stratum  $t$  given by  $w_{st1} = \frac{5}{f_t}$ . The multiplier of 5 is used since every 5<sup>th</sup> exiting patron was requested to complete a patron survey. These weights are given in Table 18 for each stratum.

**Table 18. Weight for an Average Week for Sampled Patrons at the Encore Boston Harbor Casino in 2022 by Weekday/Weekend**

t	Interval (Weekday, Weekend)	Estimated Sampling Fraction based on TRAFSYS Data ( $f_t$ )	Sampling Weight (per week) [ $w_{st1}=5/[f_t]$ ]	Sampling Weight (annual) [ $w_{st2}=52(w_{st1})$ ]
1	Weekday	14.1%	35.39	1840.39
2	Weekday	37.3%	13.40	696.66

The sampling weight in Table 18 is the average number of exiting patrons represented by each exiting patron asked to complete a patron survey during a survey week. Since there are 52 weeks in each calendar period, and the data collection interval is for a single week, the annual number of exiting patrons represented by each exiting patron in the data collection interval is given by  $w_{st2} = 52(w_{st1})$ .

### Estimating the number of Exiting Patrons Asked to Complete a Patron Survey during the Data Collection Intervals

The weight,  $w_{st2}$ , in the last column of Table 18 represents the number of exiting patrons represented by a single exiting patron asked to complete a patron survey in the survey interval, expressed over 1 year. By adding such weights over the number of exiting patrons asked to complete a survey we can estimate the annual number of exiting patrons from the Encore Boston Harbor casino.

We use the data collected during the Encore Boston Harbor patron survey to estimate the number of exiting patrons asked to complete a survey. While it seems that determining this number should be straightforward, some practical issues related to the survey conduct complicate estimating the number of exiting patrons. The Encore Boston Harbor patron survey workers attempted to ask every 5<sup>th</sup> person exiting the casino to complete a patron survey. The disposition of the persons asked to complete a survey upon exiting the Encore Boston Harbor is given in Table 19. Notice that most of those asked to complete a survey either did so (n=440), or refused to complete the survey (n=2,419). However, some persons asked to complete a survey (n=421) were not exiting the casino (but just stepping outside). Others (n=19) indicated that they were not casino patrons, and others (n=50) indicated that they had been previously asked to complete the survey. Finally, due to high exiting volume, survey staff missed asking some persons who were exiting the casino (n=131). Although a separate count of the number of persons exiting the casino was made (see the last column in Table 19), since some of these persons may not have been casino patrons, and/or some of them may have exited more than once, this number does not directly correspond to the number of exiting casino patrons.

**Table 19. Disposition of Persons Asked to Complete a Patron Survey at Encore Boston Harbor and Count of Exiting Persons**

Date	Weekday/Weekend Hours	Data Collection Intervals	'Ask' Completed Survey	'Ask' Refused Survey	'Ask' Not Exiting	'Ask' Not a Patron	'Ask' Previously Asked	'Ask' Missed	Count of Exiting Patrons
4/11/2022	Weekday (Monday – 6PM Friday)	Monday: 10:30AM – 5:30PM	63	370	58	6	7	15	2,604
4/4/2022		Monday: 5-12PM	89	462	77	3	8	57	3,468
4/2/2022	Weekend (6PM Friday – Sunday)	Saturday: 10:30AM – 5:30PM	117	546	65	8	10	23	3,845
4/9/2022		Saturday: 5-12PM	171	1,041	221	2	25	36	7,472
<b>Totals</b>			<b>440</b>	<b>2,419</b>	<b>421</b>	<b>19</b>	<b>50</b>	<b>131</b>	<b>17,389</b>

We use the data in Table 19 to estimate the number of patrons exiting the casino during the survey periods. As a first step, we combine data over weekdays and weekends to form totals for each of the strata illustrated in Table 17. These results are given in Table 20.

We include several other columns in Table 20 (column F, G, I and J) with the collapsed data based on Table 19. In Column F, we total the number of persons asked to complete a patron survey. Not all of these persons were first time exiting casino patrons, which corresponds to the targeted survey population. We assume that persons completing the survey (column A) and persons refusing the survey (column B) are first time exiting patrons. With this assumption, between 85.0% and 86.1% of the persons asked to complete a survey are exiting patrons (column G). Applying these percentages to persons that were reported missing being asked (column H), we estimate the number of missed exiting patron asks (column I). Adding the estimated number of missed asks to the complete and refused asks results in an estimate of the total 'asks' of exiting patrons (column J). Using these values, the total number of exiting patron survey 'asks' is 2,971.

**Table 20. Exiting Patron Survey 'Ask' Dispositions and Estimated total 'Asks' of Exiting Patrons**

Weekday/Weekend Hours	'Ask' Completed Survey	'Ask' Refused Survey	'Ask' Not Exiting	'Ask' Not a Patron	'Ask' Previously Asked	Total 'Asks'	Percent of 'Asks' Exiting Patrons	'Ask' Missed	Estimated Exiting Patrons from Missed 'Asks'	Estimated Total 'Asks' of Exiting Patrons
	A	B	C	D	E	F=A+B+C+D+E	G=(A+B)/F	H	I=H(G)	J=A+B+I
Weekday	152	832	135	9	15	1,143	86.1%	72	62	1,046
Weekend	288	1587	286	10	35	2,206	85.0%	59	50	1,925
									<b>Total</b>	<b>2,971</b>

The number of 'asks' of exiting patrons can be estimated in a different manner. We illustrate this in Table 21 using counts of persons exiting during the survey interval. The count of exiting persons (Column A) corresponds to summing rows from the last column in Table 19. Using the estimate of the percent of exiting persons that are first time exiting patrons from Column G in Table 20, we estimate the count of exiting patrons (Column C in Table 21). Dividing this number by 5 results in an estimate of the number of exiting patron survey 'asks' (corresponding to 2969).



**Table 21. Directly Estimating Exiting Patron Asks based on Exiting Person Counts**

Weekday/ Weekend Hours	Count of Exiting Persons	Percent of 'Asks' Exiting Patrons	Estimated count of Exiting Patrons	Estimated Number of Exiting Patron Survey 'Asks'
	A	B	C=A(B)	D+C/5
Weekday	6,072	86.1%	5,227	1,046
Weekend	11,317	85.0%	9,619	1,924
			<b>Total</b>	<b>2,969</b>

The estimate of the number of exiting patron survey 'asks' from Table 21 is very close to the estimate made in Table 20 (corresponding to 2,971 'asks'). We use the estimate of the 'asks' corresponding to 2,971 from Table 20 in determining weights. We note that using the estimate of the number of 'asks' from Table 20, and the weight associated with an 'ask' in Table 18, we can estimate the total number of exiting patrons in a 1-year period. This estimate corresponds to 3,266,128 as illustrated in Table 22.

**Table 22. Estimate of Annual Patron Exits from Encore Boston Harbor Casino 2022**

Weekday/ Weekend Hours	Estimated Total 'Asks' of Exiting Patrons	Sampling Weight (annual) $w_{t2}$	Estimated Total Exiting ENCORE Patrons 2022
	A	B	C=A(B)
Weekday	1,046	1840.39	1,925,051
Weekend	1,925	696.66	1,341,077
<b>Total</b>	<b>2,971</b>	<b>Total</b>	<b>3,266,128</b>

The weights in Table 22 when summed over sampled patrons total to an estimate of the number of exiting patrons in a year.

We summarize the number of patron survey 'asks' along with the status of their response, and the total number of exiting patrons represented by the 'asks' in Table 23.

**Table 23. Number of 'Asks' and Total Weight for Encore Boston Harbor Patron Survey by Weekday/Weekend**

	Status: STATUS						All	
	Complete		Missing		Refusal			
	W2		W2		W2		W2	
	N	Sum	N	Sum	N	Sum	N	Sum
<b>t</b>	152	279,740	62	114,104	832	1,531,207	1,046	1,925,051
<b>1=weekday</b>								
<b>2=weekend</b>	288	200,639	50	34,833	1,587	1,105,604	1,925	1,341,077
<b>All</b>	440	480,379	112	148,938	2,419	2,636,811	2,971	3,266,128

### Accounting for Missed 'Asks' to complete a Patron Survey

We estimate in Table 23 that there were a total of 112 exiting patrons that were not asked to complete a patron survey. These persons were not asked to complete a patron survey (even though they should have been asked) due to a combination of high exit volume and insufficient survey staff during certain periods in the data collection. There was no information collected on these patrons. In contrast, although 2,419 exiting patrons refused to complete the patron survey, demographic information was available on these patrons.

Since no information was available on the ‘missing’ exiting patrons, we allocate the weight assigned these patrons proportionally to sampled patrons who completed or refused the survey. We introduce some notation in order to illustrate this process. In the weekday/weekend period  $t$ , let  $n_{Ct}$  represent the number of completed surveys and  $w_{Ct}$  represent the total weight associated with these subjects,  $n_{Mt}$  represent the number of missing surveys and  $w_{Mt}$  represent the total weight associated with these subjects, and  $n_{Rt}$  represent the number of refusal surveys and  $w_{Rt}$  represent the total weight associated with these subjects. Then, we allocate  $\frac{n_{Ct}}{n_{Ct} + n_{Rt}}(w_{Mt})$  of the missing survey weight to the weight for the complete surveys, and  $\frac{n_{Rt}}{n_{Ct} + n_{Rt}}(w_{Mt})$  of the missing survey weight to the weight for the refusal surveys. The total weight for the survey completer is then given by  $w_{Ct} + \frac{n_{Ct}}{n_{Ct} + n_{Rt}}(w_{Mt})$ , while the total weight for the survey refusers is given by  $w_{Rt} + \frac{n_{Rt}}{n_{Ct} + n_{Rt}}(w_{Mt})$ . Using these new total weights, we define a new weight for a survey completer as

$$w_{Ct3} = \frac{1}{n_{Ct}} \left[ w_{Ct} + \frac{n_{Ct}}{n_{Ct} + n_{Rt}}(w_{Mt}) \right],$$

and a new weight for a survey refuser as

$$w_{Rt3} = \frac{1}{n_{Rt}} \left[ w_{Rt} + \frac{n_{Rt}}{n_{Ct} + n_{Rt}}(w_{Mt}) \right].$$

Since  $w_{t2}$  is identical for survey completers and refusers in each weekday/weekend period,  $w_{t3}$  is also identical for survey completers and refusers. These weights are illustrated in Table 24.

**Table 24. Number of 'Asks' and Total Weight for Encore Boston Harbor Patron Survey by Weekday/Weekend**

	Status :STATUS								All			
	Complete				Refusal				Wt2		Wt3	
	Wt2		Wt3		Wt2		Wt3		Wt2		Wt3	
	n	Wt2	Wt3	Total	n	Wt2	Wt3	Total	n	Wt2	Wt3	Total
<b>t</b>	152	1,840	1,956	297,366	832	1,840	1,956	1,627,685	984	1,840	1,956	1,925,051
<b>1=weekday</b>												
<b>2=weekend</b>	288	697	715	205,989	1,587	697	715	1,135,087	1,875	697	715	1,341,077
<b>All</b>	440	1,092	1,144	503,355	2,419	1,090	1,142	2,762,773	2,859	1,090	1,142	3,266,128

The weight after accounting for missing ‘asks’ given by  $w_{t3}$  is larger than the weight  $w_{t2}$  for all  $t = 1, 2$ . Notice that summing these weights over the 2,859 patrons that either completed or refused the survey totals to 3,266,128, the total estimated number of exiting patrons.

### Accounting for Survey Non-Response

We adjust the  $w_{t3}$  weights for survey non-response via post-stratification based on the estimated age, gender, and race distribution of sampled patrons. The adjusted weight is determined so that the total adjusted weight for sample patrons who complete the survey is equal to the total estimated patron visits.

The initial weights,  $w_{t3}$ , range from 715 to 1956 depending on the weekday-weekend periods (Table 24). Without accounting for demographics, we could adjust the weight for sample patrons due to non-response in each stratum. For example, for the Weekday stratum the non-response adjustment corresponds to multiplying the initial weight of 1956.35 by 1 over the proportion of estimated patrons who completed response (i.e., 1,925,051/297,366), to obtain the new weight, i.e. 12,665. When this weight is totaled over

the 152 sampled patrons completing the survey, the total matches (up to rounding) the estimated total patron visits, i.e., 1,925,051.

We apply a similar procedure to accounting for age, gender, and race. The initial weight,  $w_{st3}$ , for each sampled patron is given in Table 25.

**Table 25. Initial Weight (Wt3) for Encore Boston Harbor Patron Survey by Weekday/Weekend 2022**

Day Type	Complete			Refusal			All		
	Sample Patrons	Initial Weight (Wt3)	Estimated Total Patrons	Sample Patrons	Initial Weight (Wt3)	Estimated Total Patrons	Sample Patrons	Initial Weight (Wt3)	Estimated Total Patrons
1=weekday	152	1,956.35	297,366	832	1,956.35	1,627,685	984	1,956.35	1,925,051
2=weekend	288	715.24	205,989	1,587	715.24	1,135,087	1,875	715.24	1,341,077
All	440	1,143.99	503,355	2,419	1,142.11	2,762,773	2,859	1,142.40	3,266,128

We cross-classify sampled patrons who completed the survey by age, gender, and race, and in each cell, sum the patron's weights,  $w_{t3}$ . The weight totals are given in Table 26 for sample patrons who completed the survey, and in Table 27 for sample patrons who either completed the survey, or refused response.

**Table 26. Weight (Wt3) Totals for 2022 Encore Boston Harbor Patron Survey Completers by Gender, Race, and Age**

Wt3		Completed Survey					All
		Complete					
		Age				Miss	
18-29	30-50	51+	Miss				
Fem	Black	4,102	8,015	9,445	2,672	24,234	
	Asian	10,876	9,445	8,015	4,817	33,153	
	White	12,496	28,904	102,467	9,109	152,976	
	Other	2,861	6,248	12,117	715	21,941	
	Miss		715	1,956	6,584	9,256	
Male	Black	6,248	13,547	8,919	2,146	30,860	
	Asian	6,058	8,541	7,489	9,256	31,344	
	White	15,882	38,686	76,761	8,919	140,248	
	Other	2,146	7,300	6,774	3,387	19,606	
	Miss		2,672		4,817	7,489	
Miss	Black	715	715		2,672	4,102	
	Asian				5,869	5,869	
	White			2,672		2,672	
	Other				715	715	
	Miss				18,891	18,891	
All		61,384	124,787	236,615	80,569	503,355	

**Table 27. Weight (Wt3) Totals for 2022 Encore Boston Harbor Patron Survey for ALL 'Asks' by Gender, Race, and Age (including 'Asks' completing or refusing the survey)**

Wt3		Age				All
		18-29	30-50	51+	Miss	
Fem	Black	28,672	64,497	31,575	2,672	127,416
	Asian	57,197	158,045	121,273	4,817	341,333
	White	112,944	247,450	330,858	9,109	700,361
	Other	23,182	47,416	24,949	715	96,262

	<b>Miss</b>		715	1,956	6,584	9,256
<b>Male</b>	<b>Black</b>	55,767	110,524	41,883	2,146	210,320
	<b>Asian</b>	95,315	251,466	223,320	9,256	579,357
	<b>White</b>	175,233	385,174	453,856	8,919	1,023,182
	<b>Other</b>	28,904	75,078	31,533	3,387	138,902
	<b>Miss</b>		2,672		4,817	7,489
<b>Miss</b>	<b>Black</b>	715	715		2,672	4,102
	<b>Asian</b>				5,869	5,869
	<b>White</b>			2,672		2,672
	<b>Other</b>				715	715
	<b>Miss</b>				18,891	18,891
<b>All</b>		577,929	1,343,753	1,263,876	80,569	3,266,128

If demographic variable values were known for all sampled patrons, we could adjust weights for non-response directly using post-stratification. However, some missing demographic data was evident for sample patrons who completed the survey, and demographic data were present for all ‘refusals’ since such data was reported by the survey staff. For this reason, we first account for missing demographic data prior to post-stratification.

### Accounting for Missing Demographic Data

As a first step, we total the weights by missing data patterns for the demographic variables (Table 28). For example, Table 28 illustrates that 16 patrons completed the survey, but failed to provide demographic data on race, sex, and age. The total weight for these 16 patrons is 18,891. The total weight for other missing demographic patterns for completed surveys are calculated in a similar manner. The total weight, 503,355, matches the total weight assigned to completed patron surveys in Table 24, Table 25, and Table 26.

In the patron survey, demographic characteristics of patrons refusing to complete the survey were recorded based on surveyor’s observation. For this reason, there was no missing demographic data for survey refusals. The total weight associated with the refusals is 1,885,874 (see Table 28). We calculate a new weight for complete surveys that adjusts for the weight associated with refusals.

In order to adjust weights for refusals, we first estimate the weight associated with patrons who refused to be surveyed. To do so, we make the assumption that if the survey was completed by a patron who refused the survey, then the missing data pattern for demographics would be proportional to the missing data pattern for demographics that were observed among patrons completing the survey. With this assumption, we assign “Refused” weight totals proportional to Completed Survey weights in Table 28. For example, the weight (Wt4) of 122,575 in the first row of Table 28 is equal to the sum of the weight for completers (i.e. 18,891) plus the proportional weight for refusals, i.e.,  $103,685 = \frac{18,891}{503,355} (2,762,773)$ .

**Table 28. Weight (Wt3) Totals for Complete and Refusals by Missing Demographics Patterns for Patrons Completion the Survey with Proportional Allocation of Refusal Weights**

k	Race	Gender	Age	# Complete Surveys	Completed Survey Wt3 Sum	Refused Survey Wt3 Sum	Wt4 Adj.for Missing Demos
				$n_k$	$N_k$	$M_k$	$T_k$
1	Missing	Missing	Missing	16	18,891	103,685	122,575
2	Missing	Reported	Missing	9	11,402	62,580	73,982

3	Missing	Reported	Reported	4	5,343	29,327	34,670
4	Reported	Missing	Missing	6	9,256	50,803	60,059
5	Reported	Missing	Reported	4	4,102	22,515	26,617
6	Reported	Reported	Missing	40	41,021	225,151	266,172
7	Reported	Reported	Reported	361	413,341	2,268,711	2,682,052
				<b>440</b>	<b>503,355</b>	<b>2,762,773</b>	<b>3,266,128</b>

We introduce some notation to define this process in general. Let  $k=1, \dots, 7$  represent the seven missing data patterns corresponding to rows of Table 28. Next, let  $N_k$  represent the total initial weight for the completed surveys with a missing data pattern. For example, when  $k=1$ ,  $N_1 = 18,891$ . We define  $N = \sum_{k=1}^7 N_k$  as the total initial weight assigned to completed patron surveys (i.e.  $N = 503,355$ ). Similarly, let  $M$  represent the total initial weight assigned to refusals (i.e.,  $M = 2,762,773$ ). The estimated total number of refusals in missing data pattern  $k$  is given by  $M_k = \left(\frac{N_k}{N}\right)M$ . Values of  $N_k$  and  $M_k$  are given in Table 28. The total weight for a missing data pattern is the sum of the weights for completed surveys and refusals,  $T_k = N_k + M_k$ .

Recall that the weight assigned to a sampled patron is represented by  $w_{st3}$ , where  $S$  indexes the patron in stratum  $t$  (calendar period and weekday/weekend). We use  $j = 1, \dots, n_k$  to index the sampled patrons with complete surveys in stratum  $k$ , and represent weight for the patron by  $w_{jk}^{(0)} = w_{st3}$  for the surveyed patron  $S$  that are in stratum  $k$ . We note that these weights are not identical for each patron in stratum  $k$ , since they depend on the weekday/weekend period (as indicated in Table 25).

The procedure that we follow to adjust survey weights for non-response depends on the missing data pattern for the demographic variables. We define the adjustment for each of row of Table 28.

### Non-Response Adjustment when race, gender, and age are missing (k=1).

There is no additional demographic information that can be used in the non-response adjustment when all demographic variables are missing. For this reason, the non-response adjustment corresponds to multiplying the weight for each of the  $j = 1, \dots, n_1 = 16$  sampled patrons who completed the survey (with missing demographic data) so that the total weight is  $T_k$  (i.e.,  $T_1 = 122,575$ ). The adjusted weights are given by

$w_{jk}^{(1)} = A_1 w_{jk}^{(0)}$ , where  $A_1 = \frac{T_1}{N_1}$  and  $N_1 = 18,891$ . Table 29 details the weights for these patrons.

**Table 29. List of Weights and total weight after adjusting for refusals (k=1)**

Day type: DAYT	# of Patrons	W3	W4	Total of Wt4
$t$	$n_{t1}$	$w_{j1}^{(0)}$	$w_{j1}^{(1)}$	$n_{t1} w_{j1}^{(1)}$
1=weekday	6	1,956	12,694	76,165
2=weekend	10	715	4,641	46,410
	<b>16</b>			<b>122,575</b>

Notice that the total weight,  $w_{jt}^{(1)}$ , when summed over  $t = 1,2$  is equal to the estimated total number of patrons with all demographic variables missing.

### Non-Response Adjustment when race and age are missing (k=2).

For other patterns of missing demographic data, we refine the re-weighting process to account for the demographics assigned by surveyors to the sample patrons who refused completion of the survey. Let  $i = 1, \dots, I_k$  index the cells for known demographic variables for a given missing data pattern. For example, when the missing data pattern has age and race missing, the known demographic variable is gender with  $I_2 = 2$  cells. Let  $M_{i(k)}$  represent the total weight of refusals in a cell for missing data pattern  $k$ . In order to adjust for missing data, we first determine the total initial weight for sampled patrons who refused the survey for each cell. These totals are given in Table 30.

**Table 30. Distribution of Wt3 Weights for Sampled Patrons who Refused by Demographics of Refusals k=2**

Gender	Refusals n	Refusals WT3	Refusals Total WT3
			$M_{i(2)}$
Female	929	1,112	1,033,069
Male	1,490	1,161	1,729,704
	<b>2,419</b>		<b>2,762,773</b>

We estimate the weight for sampled patrons who refused in missing data pattern  $k=2$  by  $\hat{M}_{i(k)} = \left( \frac{M_{i(k)}}{M} \right) M_k$ .

For example, for females ( $i=1$ ),  $M_{1(2)} = 1,033,069$ , while for males,  $M_{2(2)} = 1,729,704$ . From Table 28 when  $k=2$ , the total weight for sampled patrons who refused is  $M_2 = 62,580$ . Using this total, the estimated total weight assigned to female ( $i=1$ ) sample patrons who refused with missing data pattern  $k=2$  is

$$\begin{aligned} \hat{M}_{i(k)} &= \left( \frac{M_{i(k)}}{M} \right) M_k \\ &= \left( \frac{1,033,069}{2,762,773} \right) \times 62,580 \\ &= 23,400. \end{aligned}$$

Using these values, and similar total weights for sample patrons with completed surveys,  $N_{i(k)}$ , we construct a table corresponding the response weights and total weights (Table 31). The total weight is given by

$$T_{i(k)} = N_{i(k)} + \hat{M}_{i(k)}, \text{ with a non-response adjustment factor given by } A_{i(k)} = \frac{T_{i(k)}}{N_{i(k)}}.$$

**Table 31. Non-response Adjusted Factor by Gender for k=2**

<i>i</i>	Gender	Sampled Patron Completers	Total Wt3 Completers	Estimated Total Wt3 for Refusals	Estimated Total Wt3	Non-Response Adjustment Factor
		$n_{i(2)}$	$N_{i(2)}$	$\hat{M}_{i(2)}$	$T_{i(2)}$	$A_{i(2)}$
1	Fem	4	6,584	23,400	29,985	4.55
2	Male	5	4,817	39,180	43,997	9.13
		<b>9</b>	<b>11,402</b>	<b>62,580</b>	<b>73,982</b>	

The adjusted weights are given by WT4, which we represent by  $w_{jk}^{(1)} = A_{i(k)} w_{jk}^{(0)}$ . Table 32 details the weights for these patrons.

**Table 32 Adjustment for Refusals for Missing Demographic Patterns k=1,2**

k=1

Day type: DAYT	Gender	Sampled Patron Completers	Wt3 Weight	Refusal Adjustment Factor	Wt4 Weight
1=weekday	Miss	6	1,827	6.49	11,855
2=weekend	Miss	10	715	6.49	4,641
<b>mpat</b>		<b>16</b>			

k=2

Day type: DAYT	Gender	Sampled Patron Completers	Wt3 Weight	Refusal Adjustment Factor	Wt4 Weight
=weekday	Fem	3	1,853	4.55	8,438
1=weekday	Male	1	963	9.13	8,799
2=weekend	Fem	1	715	4.55	3,257
2=weekend	Male	4	715	9.13	6,532
<b>mpat</b>		<b>9</b>			
		<b>25</b>			

**Adjustment for Refusals when Race is missing (k=3).**

The third missing data pattern has race missing, but gender and age known. Among the sampled patrons who refused the survey, the distribution of weights by gender and age is given in Table 33.

**Table 33. Distribution of Wt3 Weights for Sampled Patrons Refused by Demographics of Refusals Pattern k=3**

Gender	Age	Refusals n	Refusals WT3	Refusals Total WT3
Fem	18-29	176	1,089	191,661
Fem	30-50	426	1,091	464,796
Fem	51+	327	1,152	376,612
Male	18-29	305	1,065	324,884
Male	30-50	664	1,136	754,170
Male	51+	521	1,249	650,650

		<b>2,419</b>		<b>2,762,773</b>
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We use this distribution to estimate the weight for sampled patrons who refused. However, among those completing the survey, there are no patrons with missing data pattern  $k=3$  who were in the 18-29 age category males/females or 51+ males. For this reason, we drop the corresponding rows in Table 33, summarizing the refusal distribution as in Table 34.

**Table 34. Distribution of Wt3 Weights for Sampled Patrons who Refused Where there was at least one patron response for Refusal Pattern k=3**

Gender	Age	Refusals n	Refusals WT3	Refusals Total WT3
				$M_{i(3)}$
Fem	30-50	426	1,091	464,796
Fem	51+	327	1,152	376,612
Male	30-50	664	1,136	754,170
		<b>1,417</b>		<b>1,595,578</b>

We use these strata to estimate the weight for sampled patrons who refuse with this missing data pattern, such that  $\hat{M}_{i(k)} = \left( \frac{M_{i(k)}}{M^*} \right) M_k$ , where  $M_k$  is 29,327 (from Table 28) and  $M^* = 1,595,578$  from Table 34. Using

these values, and similar total weights for sample patrons with completed surveys,  $N_{i(k)}$ , we construct a table corresponding the response weights and total weights (Table 35). The total weight is given by

$$T_{i(k)} = N_{i(k)} + \hat{M}_{i(k)}, \text{ with a non-response adjustment factor given by } \frac{T_{i(k)}}{N_{i(k)}}.$$

Using these totals, the estimated total weight assigned to females-age 30-50 sample patrons ( $i=1$ ) who refused the survey with missing data pattern  $k=3$  is

$$\begin{aligned} \hat{M}_{i(k)} &= \left( \frac{M_{i(k)}}{M} \right) M_k \\ &= \left( \frac{464,796}{1,595,578} \right) \times 29,327 \\ &= 8543. \end{aligned}$$

Using these values, and similar total weights for sample patrons with completed surveys,  $N_{i(k)}$ , we construct a table corresponding the response weights and total weights (Table 35). The total weight is given by

$$T_{i(k)} = N_{i(k)} + \hat{M}_{i(k)}, \text{ with a non-response adjustment factor given by } A_{i(k)} = \frac{T_{i(k)}}{N_{i(k)}}.$$



**Table 35. Non-response Adjusted Factor by Gender-Age for k=3**

<i>i</i>	Gender	Age	Sampled Patron Completers	Total Wt3 Completers	Estimated Total Wt3 for Refusals	Estimated Total Wt3	Non-Response Adjustment Factor (k=3)
				$N_{i(k)}$	$\hat{M}_{i(k)}$	$T_{i(k)}$	$A_{i(3)}$
1	Fem	30-50	1	715	8,543	9,258	12.9443
2	Fem	51+	1	1,956	6,922	8,879	4.5383
3	Male	30-50	2	2,672	13,862	16,533	6.1886
			<b>4</b>	<b>5,343</b>	<b>29,327</b>	<b>34,670</b>	

The adjusted weights are given by  $w_{jk}^{(1)} = A_{i(k)} w_{jk}^{(0)}$ . Table 36 details the weights for these patrons.

**Table 36. Non-response Adjusted Factor by Gender-Age for k=3**

<i>i</i>	Day type: DAYT	Gender	Age	Sample Patron Completers	Wt3-Completers+Refusers: WT3	Non-Response Adjustment Factor (k=3)	Refusal adjusted Weight (WT4)
					$w_{j3}^{(0)}$	$A_{i(3)}$	$w_{j3}^{(1)}$
1	1=weekday	Fem	51+	1	1,956	4.54	8,879
2	1=weekday	Male	30-50	1	1,956	6.19	12,107
3	2=weekend	Fem	30-50	1	715	12.9	9,258
4	2=weekend	Male	30-50	1	715	6.19	4,426
				<b>4</b>			

**Non-Response Adjustment when gender and age are missing (k=4).**

The fourth missing data pattern has gender and age missing, but race known. Among the sampled patrons who refused the survey, the distribution of weights by race is given in Table 37.

**Table 37. Distribution of Wt3 Weights for Sampled Patrons who Refused by Demographics of Refusal Pattern k=4**

Race	Refusals n	Refusals WT3	Refusals Total WT3
Black	239	1,183	282,643
Asian	647	1,323	856,193
White	1,356	1,055	1,430,319
Other	177	1,094	193,618
	<b>2,419</b>		<b>2,762,773</b>

We use this distribution to estimate the weight for sampled patrons who refused. However, inspection of the race distributions for patrons who completed the survey with this missing data pattern reveals that no White race patrons are in this stratum. For this reason, we drop the corresponding rows in Table 37, summarizing the refusal distribution as in Table 38.

**Table 38. Distribution of Wt3 Weights for Sampled Patrons who Refused where there was at least one patron response for Refusal Pattern k=4**

<i>i</i>	Race	Refusals n	Refusals WT3	Refusals Total WT3
				$M_{i(4)}$
1	Black	239	1,183	282,643
2	Asian	647	1,323	856,193
3	Other	177	1,094	193,618
		<b>1,063</b>		<b>1,332,454</b>

We use these strata to estimate the weight for sampled patrons who refuse with this missing data pattern, such that  $\hat{M}_{i(k)} = \left( \frac{M_{i(k)}}{M^*} \right) M_k$ , where  $M_k$  is 50,803 (from Table 28) and  $M^* = 1,332,454$  from Table 38. Using

these values, and similar total weights for sample patrons with completed surveys,  $N_{i(k)}$ , we construct a table corresponding the response weights and total weights (Table 39). The total weight is given by

$$T_{i(k)} = N_{i(k)} + \hat{M}_{i(k)}, \text{ with a non-response adjustment factor given by } \frac{T_{i(k)}}{N_{i(k)}}.$$

**Table 39. Non-response Adjusted Factor by Race for k=4**

<i>i</i>	Race	Sampled Patron Completers	Total Wt3 Completers	Estimated Total Wt3 for Refusals	Estimated Total Wt3	Non-Response Adjustment Factor (k=4)
			$N_{i(k)}$	$\hat{M}_{i(k)}$	$\hat{M}_{i(k)}$	$A_{i(4)}$
1	Black	2	2,672	10,776	13,448	5.03
2	Asian	3	5,869	32,644	38,513	6.56
3	Other	1	715	7,382	8,097	11.3
		<b>6</b>	<b>9,256</b>	<b>50,803</b>	<b>60,059</b>	

The adjusted weights are given by  $w_{jk}^{(1)} = \left( \frac{T_{i(k)}}{N_{i(k)}} \right) w_{jk}^{(0)}$ . Table 40 details the weights for these patrons who completed the survey.

**Table 40. Non-response Adjusted Factor by Race for k=4**

<i>i</i>	Day type: DAYT	Race	Sample Patron Completers	Wt3-Completers+Refusers: WT3	Non-Response Adjustment Factor (k=3)	Refusal adjusted Weight (WT4)
				$w_{j4}^{(0)}$	$A_{i(4)}$	$w_{j4}^{(1)}$
1	1=weekday	Black	1	1,956	5.03	9,848
2	1=weekday	Asian	3	1,956	6.56	12,838
3	2=weekend	Black	1	715	5.03	3,600
4	2=weekend	Other	1	715	11.3	8,097
			<b>6</b>			

## Non-Response Adjustment when Gender is missing (k=5).

The fifth missing data pattern has gender missing, but age and race known. Among the sampled patrons who refused the survey, the distribution of weights by age and race is given in Table 41.

**Table 41. Distribution of Wt3 Weights for Sampled Patrons who Refused by Demographics of Refusal Pattern k=5**

<i>i</i>	Race	Age	Refusals n	Refusals WT3	Refusals Total WT3
1	Black	18-29	55	1,347	74,089
2	Black	30-50	133	1,154	153,459
3	Black	51+	51	1,080	55,094
4	Asian	18-29	108	1,255	135,578
5	Asian	30-50	301	1,301	391,525
6	Asian	51+	238	1,383	329,090
7	White	18-29	273	952	259,799
8	White	30-50	554	1,020	565,035
9	White	51+	529	1,145	605,486
10	Other	18-29	45	1,046	47,079
11	Other	30-50	102	1,068	108,947
12	Other	51+	30	1,253	37,592
			<b>2,419</b>		<b>2,762,773</b>

We use this distribution to estimate the weight for sampled patrons who refused. However, only three patrons completed the survey with this missing data pattern. There was one Black 18-29 year old patron, one Black 30-50 year old patron, and one White 51+ year old patron. We limit the refusal race by age strata to those that had some survey respondents, as illustrated in Table 42.

**Table 42. Distribution of Wt3 Weights for Sampled Patrons who Refused where there was at least one patron response for Refusal Pattern k=5**

Race	Age	Refusals n	Refusals WT3	Refusals Total WT3
				$M_{i(5)}$
Black	18-29	55	1,347	74,089
Black	30-50	133	1,154	153,459
White	51+	529	1,145	605,486
		<b>717</b>		<b>833,035</b>

We use these strata to estimate the weight for sampled patrons who refuse with this missing data pattern,

such that  $\hat{M}_{i(k)} = \left( \frac{M_{i(k)}}{M^*} \right) M_k$ , where  $M_k$  is 22,515 (from Table 28) and  $M^* = 833,035$  from Table 42. Using

these values, and similar total weights for sample patrons with completed surveys,  $N_{i(k)}$ , we construct a table corresponding the response weights and total weights (Table 43). The total weight is given by

$$T_{i(k)} = N_{i(k)} + \hat{M}_{i(k)}, \text{ with a non-response adjustment factor given by } \frac{T_{i(k)}}{N_{i(k)}}.$$

**Table 43. Non-response Adjusted Factor by Race for k=5**

<i>i</i>	Race	Age	Sampled Patron Completers	Total Wt3 Completers	Estimated Total Wt3 for Refusals	Estimated Total Wt3	Non-Response Adjustment Factor (k=5)
				$N_{i(k)}$	$\hat{M}_{i(k)}$	$T_{i(k)}$	$A_{i(5)}$
1	Black	18-29	1	715	2,002	2,718	3.80
2	Black	30-50	1	715	4,148	4,863	6.80
3	White	51+	2	2,672	16,365	19,036	7.13
			4	4,102	22,515	26,617	

The adjusted weights are given by  $w_{jk}^{(1)} = \left( \frac{T_{i(k)}}{N_{i(k)}} \right) w_{jk}^{(0)}$ . Table 44 details the weights for the patrons who completed the survey with missing data pattern  $k=5$ .

**Table 44. Non-response Adjusted Factor by Race for k=5**

<i>i</i>	Day type: DAYT	Race	Age	Sample Patron Completers	Wt3-Completers+Refusers: WT3	Non-Response Adjustment Factor (k=3)	Refusal adjusted Weight (WT4)
					$w_{j5}^{(0)}$	$A_{i(5)}$	$w_{j5}^{(1)}$
1	1=weekday	White	51+	1	1,956	7.13	13,940
2	2=weekend	Black	18-29	1	715	3.80	2,718
3	2=weekend	Black	30-50	1	715	6.80	4,863
4	2=weekend	White	51+	1	715	7.13	5,096
				4			

**Non-Response Adjustment when age is missing (k=6).**

The sixth missing data pattern has age missing, but gender and race known. Among the sampled patrons who refused the survey, the distribution of weights by gender and race is given in Table 45.

**Table 45. Distribution of Wt3 Weights for Sampled Patrons who Refused by Demographics of Refusal Pattern k=6**

<i>i</i>	Race	Gender	Refusals n	Refusals WT3	Refusals Total WT3
					$M_{i(6)}$
1	Black	Fem	87	1,186	103,183
2	Black	Male	152	1,181	179,460
3	Asian	Fem	240	1,284	308,180
4	Asian	Male	407	1,346	548,013
5	White	Fem	538	1,017	547,385
6	White	Male	818	1,079	882,934
7	Other	Fem	64	1,161	74,321
8	Other	Male	113	1,056	119,297
			2,419		2,762,773

We use this distribution to estimate the weight for sampled patrons who refused. For each stratum indexed by  $i$ , we estimate the weight for sampled patrons who refuse with this missing data pattern, such that

$$\hat{M}_{i(k)} = \left( \frac{M_{i(k)}}{M^*} \right) M_k, \text{ where } M_k \text{ is } 225,151 \text{ (from Table 28) and } M^* = 2,762,773 \text{ from Table 45. Using these}$$

values, and similar total weights for sample patrons with completed surveys,  $N_{i(k)}$ , we construct a table corresponding the response weights and total weights (Table 46). The total weight is given by

$$T_{i(k)} = N_{i(k)} + \hat{M}_{i(k)}, \text{ with a non-response adjustment factor given by } \frac{T_{i(k)}}{N_{i(k)}}.$$

**Table 46. Non-response Adjusted Factor by Race and Gender for k=6**

$i$	Race	Gender	Sampled Patron Completers	Total Wt3 Completers	Estimated Total Wt3 for Refusals	Estimated Total Wt3	Non-Response Adjustment Factor (k=6)
				$N_{i(k)}$	$\hat{M}_{i(k)}$	$T_{i(k)}$	$A_{i(6)}$
1	Black	Fem	2	2,672	8,409	11,080	4.15
2	Black	Male	3	2,146	14,625	16,771	7.82
3	Asian	Fem	5	4,817	25,115	29,932	6.21
4	Asian	Male	6	9,256	44,660	53,916	5.83
5	White	Fem	11	9,109	44,609	53,718	5.90
6	White	Male	9	8,919	71,954	80,874	9.07
7	Other	Fem	1	715	6,057	6,772	9.47
8	Other	Male	3	3,387	9,722	13,109	3.87
			<b>40</b>	<b>41,021</b>	<b>225,151</b>	<b>266,172</b>	

The adjusted weights are given by  $w_{jk}^{(1)} = \left( \frac{T_{i(k)}}{N_{i(k)}} \right) w_{jk}^{(0)}$ . Table 47 details the weights for the patrons who completed the survey.

**Table 47. Non-response Adjusted Factor by Race and Gender for k=6**

$i$	Day type: DAYT	Race	Gender	Sample Patron Completers	Wt3-Completers+Refusers: WT3	Non-Response Adjustment Factor (k=3)	Refusal adjusted Weight (WT4)
					$w_{j6}^{(0)}$	$A_{i(6)}$	$w_{j6}^{(1)}$
1	1=weekday	Black	Fem	1	1,956	4.15	8,114
2	1=weekday	Asian	Fem	1	1,956	6.21	12,156
3	1=weekday	Asian	Male	4	1,956	5.83	11,396
4	1=weekday	White	Fem	1	1,956	5.90	11,537
5	1=weekday	White	Male	2	1,956	9.07	17,739
6	1=weekday	Other	Male	1	1,956	3.87	7,572
7	2=weekend	Black	Fem	1	715	4.15	2,966
8	2=weekend	Black	Male	3	715	7.82	5,590
9	2=weekend	Asian	Fem	4	715	6.21	4,444
10	2=weekend	Asian	Male	2	715	5.83	4,166

<b>11</b>	2=weekend	White	Fem	10	715	5.90	4,218
<b>12</b>	2=weekend	White	Male	7	715	9.07	6,485
<b>13</b>	2=weekend	Other	Fem	1	715	9.47	6,772
<b>14</b>	2=weekend	Other	Male	2	715	3.87	2,768
				<b>40</b>			

**Non-Response Adjustment when race, gender, and age are not missing (k=7).**

The seventh missing data pattern has no missing demographic data. Among the sampled patrons who refused the survey, the distribution of weights by gender and race is given in Table 48.

**Table 48. Distribution of Wt3 Weights for Sampled Patrons who Refused by Demographics of Refusal Pattern =7**

<i>i</i>	Race	Gender	Age	Refusals n	Refusals WT3	Refusals Total WT3
						$M_{i(7)}$
<b>1</b>	Black	Fem	18-29	17	1,445	24,570
<b>2</b>	Black	Fem	30-50	46	1,228	56,482
<b>3</b>	Black	Fem	51+	24	922	22,130
<b>4</b>	Black	Male	18-29	38	1,303	49,519
<b>5</b>	Black	Male	30-50	87	1,115	96,977
<b>6</b>	Black	Male	51+	27	1,221	32,964
<b>7</b>	Asian	Fem	18-29	37	1,252	46,322
<b>8</b>	Asian	Fem	30-50	121	1,228	148,600
<b>9</b>	Asian	Fem	51+	82	1,381	113,259
<b>10</b>	Asian	Male	18-29	71	1,257	89,257
<b>11</b>	Asian	Male	30-50	180	1,350	242,926
<b>12</b>	Asian	Male	51+	156	1,384	215,831
<b>13</b>	White	Fem	18-29	104	966	100,448
<b>14</b>	White	Fem	30-50	224	976	218,546
<b>15</b>	White	Fem	51+	210	1,088	228,391
<b>16</b>	White	Male	18-29	169	943	159,350
<b>17</b>	White	Male	30-50	330	1,050	346,488
<b>18</b>	White	Male	51+	319	1,182	377,095
<b>19</b>	Other	Fem	18-29	18	1,129	20,321
<b>20</b>	Other	Fem	30-50	35	1,176	41,168
<b>21</b>	Other	Fem	51+	11	1,167	12,832
<b>22</b>	Other	Male	18-29	27	991	26,758
<b>23</b>	Other	Male	30-50	67	1,012	67,779
<b>24</b>	Other	Male	51+	19	1,303	24,760
				<b>2,419</b>		<b>2,762,773</b>

We use this distribution to estimate the weight for sampled patrons who refused. There was at least one patron in each of the strata in Table 48 who completed a survey.

As a result, we use these strata to estimate the weight for sampled patrons who refuse with this missing data

pattern, such that  $\hat{M}_{i(k)} = \left( \frac{M_{i(k)}}{M^*} \right) M_k$ , where  $M_k$  is 2,268,711 (from Table 28) and  $M^* = 2,762,773$  from Table

48. Using these values, and similar total weights for sample patrons with completed surveys,  $N_{i(k)}$ , we construct a table corresponding the response weights and total weights (Table 49). The total weight is given by  $T_{i(k)} = N_{i(k)} + \hat{M}_{i(k)}$ , with a non-response adjustment factor given by  $\frac{T_{i(k)}}{N_{i(k)}}$ .

**Table 49. Non-response Adjusted Factor by Race, Age and Gender for k=7**

<i>i</i>	Race	Gender	Age :AGEM	Sampled Patron Completers	Total Wt3 Completers	Estimated Total Wt3 for Refusals	Estimated Total Wt3	Non-Response Adjustment Factor (k=7)
					$N_{i(k)}$	$\hat{M}_{i(k)}$	$T_{i(k)}$	$A_{i(7)}$
1	Black	Fem	18-29	4	4,102	20,176	24,278	5.92
2	Black	Fem	30-50	6	8,015	46,382	54,396	6.79
3	Black	Fem	51+	8	9,445	18,173	27,618	2.92
4	Black	Male	18-29	7	6,248	40,664	46,912	7.51
5	Black	Male	30-50	12	13,547	79,635	93,182	6.88
6	Black	Male	51+	9	8,919	27,069	35,988	4.03
7	Asian	Fem	18-29	10	10,876	38,038	48,914	4.50
8	Asian	Fem	30-50	8	9,445	122,026	131,471	13.9
9	Asian	Fem	51+	6	8,015	93,005	101,020	12.6
10	Asian	Male	18-29	5	6,058	73,295	79,353	13.1
11	Asian	Male	30-50	5	8,541	199,484	208,024	24.4
12	Asian	Male	51+	7	7,489	177,234	184,723	24.7
13	White	Fem	18-29	14	12,496	82,485	94,981	7.60
14	White	Fem	30-50	30	28,904	179,464	208,368	7.21
15	White	Fem	51+	86	102,467	187,548	290,015	2.83
16	White	Male	18-29	17	15,882	130,854	146,736	9.24
17	White	Male	30-50	35	38,686	284,526	323,212	8.35
18	White	Male	51+	57	76,761	309,660	386,421	5.03
19	Other	Fem	18-29	4	2,861	16,687	19,548	6.83
20	Other	Fem	30-50	7	6,248	33,806	40,054	6.41
21	Other	Fem	51+	10	12,117	10,537	22,654	1.87
22	Other	Male	18-29	3	2,146	21,973	24,119	11.2
23	Other	Male	30-50	5	7,300	55,658	62,958	8.62
24	Other	Male	51+	6	6,774	20,332	27,106	4.00
				<b>361</b>	<b>413,341</b>	<b>2,268,711</b>	<b>2,682,052</b>	

The adjusted weights are given by  $w_{jk}^{(1)} = \left( \frac{T_{i(k)}}{N_{i(k)}} \right) w_{jk}^{(0)}$ .

Table 50 details the weights for these patrons who completed the survey.

**Table 50. Non-response Adjusted Factor by Race, Gender and Age for k=7**

<i>i</i>	Day type: DAYT	Race	Gender	Age	Sample Patron Completers	Wt3- Completers+Refusers: WT3	Non-Response Adjustment Factor (k=7)	Refusal Adjusted Weight (WT4)
1	1=weekday	Black	Fem	18-29	1	1,956	5.92	11,579
2	1=weekday	Black	Fem	30-50	3	1,956	6.79	13,278
3	1=weekday	Black	Fem	51+	3	1,956	2.92	5,720
4	1=weekday	Black	Male	18-29	1	1,956	7.51	14,689
5	1=weekday	Black	Male	30-50	4	1,956	6.88	13,456
6	1=weekday	Black	Male	51+	2	1,956	4.03	7,894
7	1=weekday	Asian	Fem	18-29	3	1,956	4.50	8,799
8	1=weekday	Asian	Fem	30-50	3	1,956	13.9	27,231
9	1=weekday	Asian	Fem	51+	3	1,956	12.6	24,658
10	1=weekday	Asian	Male	18-29	2	1,956	13.1	25,624
11	1=weekday	Asian	Male	30-50	4	1,956	24.4	47,651
12	1=weekday	Asian	Male	51+	2	1,956	24.7	48,256
13	1=weekday	White	Fem	18-29	2	1,956	7.60	14,871
14	1=weekday	White	Fem	30-50	6	1,956	7.21	14,103
15	1=weekday	White	Fem	51+	33	1,956	2.83	5,537
16	1=weekday	White	Male	18-29	3	1,956	9.24	18,075
17	1=weekday	White	Male	30-50	11	1,956	8.35	16,345
18	1=weekday	White	Male	51+	29	1,956	5.03	9,848
19	1=weekday	Other	Fem	30-50	1	1,956	6.41	12,542
20	1=weekday	Other	Fem	51+	4	1,956	1.87	3,658
21	1=weekday	Other	Male	30-50	3	1,956	8.62	16,873
22	1=weekday	Other	Male	51+	2	1,956	4.00	7,829
23	2=weekend	Black	Fem	18-29	3	715	5.92	4,233
24	2=weekend	Black	Fem	30-50	3	715	6.79	4,854
25	2=weekend	Black	Fem	51+	5	715	2.92	2,091
26	2=weekend	Black	Male	18-29	6	715	7.51	5,370
27	2=weekend	Black	Male	30-50	8	715	6.88	4,920
28	2=weekend	Black	Male	51+	7	715	4.03	2,886
29	2=weekend	Asian	Fem	18-29	7	715	4.50	3,217
30	2=weekend	Asian	Fem	30-50	5	715	13.9	9,956
31	2=weekend	Asian	Fem	51+	3	715	12.6	9,015
32	2=weekend	Asian	Male	18-29	3	715	13.1	9,368
33	2=weekend	Asian	Male	30-50	1	715	24.4	17,421
34	2=weekend	Asian	Male	51+	5	715	24.7	17,642
35	2=weekend	White	Fem	18-29	12	715	7.60	5,437
36	2=weekend	White	Fem	30-50	24	715	7.21	5,156
37	2=weekend	White	Fem	51+	53	715	2.83	2,024
38	2=weekend	White	Male	18-29	14	715	9.24	6,608
39	2=weekend	White	Male	30-50	24	715	8.35	5,976
40	2=weekend	White	Male	51+	28	715	5.03	3,601
41	2=weekend	Other	Fem	18-29	4	715	6.83	4,887
42	2=weekend	Other	Fem	30-50	6	715	6.41	4,585
43	2=weekend	Other	Fem	51+	6	715	1.87	1,337
44	2=weekend	Other	Male	18-29	3	715	11.2	8,040
45	2=weekend	Other	Male	30-50	2	715	8.62	6,169
46	2=weekend	Other	Male	51+	4	715	4.00	2,862
					<b>361</b>			



## Trimming Weights

We describe the procedure for trimming raked weights next. Let  $w_{\min}$  represent the minimum weight,  $w_{mean}$  represent the mean weight, and  $w_{\max}$  represent the maximum weight. These values correspond to  $w_{\min} = 1,337.25$ ,  $w_{mean} = 6931.24$ , and  $w_{\max} = 48,255.85$  in the 2022 Encore Boston Harbor patron survey (for Wt4). We define the trimmed weight by setting the minimum and maximum weight to be a simple multiplier,  $m$ , times the average weight,  $w_{mean}$ . The initial trimmed weight is given by

$$w_{i,m}^0 = \begin{cases} w_{\max,m} & \text{if } w_i \geq w_{\max,m} \\ w_i & \\ w_{\min,m} & \text{if } w_i \leq w_{\min,m} \end{cases}.$$

where  $w_{\max,m} = m(w_{mean})$  and  $w_{\min,m} = (w_{mean})/m$ . By changing the minimum and maximum weight, the total weight is changed. In order to insure that the total weight is equal to the total population size, we adjust the initial trimmed weight by a factor  $\frac{T}{T_m}$ , where  $T = \sum_{i=1}^n w_i$  represents the total weight prior to trimming, and

$T_m = \sum_{i=1}^n w_{i,m}^0$  represents the total weight after trimming weights to a multiple of the mean weight. The final

step in creating the trimmed weight is to multiply the initial trimmed weight by  $\frac{T}{T_m}$ , to form the trimmed weight

$$w_{i,m} = \left( \frac{T}{T_m} \right) w_{i,m}^0.$$

In the Baseline General Population Survey (Volberg et al., 2015), we determined that using a value of  $m = 8$  would result in the most accurate estimator. Multiplying the average weight by 8,  $w_{\max,m} = 55,450$ , while dividing the average weight by 8 results in  $w_{\min,m} = 866.41$ . The actual maximum and minimum weight falls within the range of 1337 to 48,256. As a result, based on the criteria of  $m = 8$ , no weight trimming is required.

We further examined the distribution of weights for the  $n = 440$  complete surveys. While the five highest weights range from 41,605 to 48,256, the next largest weight is 27,231. This weight is between 56% to 65% of the value of the five highest weights. Since there was a relatively large difference in these weights, and since a high variance in weights can inflate the variance of weighted estimators, we decided to trim the seven highest weights to 27,231.

The total weight prior to trimming is given by  $T = \sum_{i=1}^{n=440} w_i = 3,049,744.51$ , while the total weight after trimming (but prior to adjusting) is 2,953,086.38. We define the raked trimmed weight by multiplying the trimmed weights by the factor  $\frac{T}{T_m} = \frac{3,049,744.51}{2,953,086.38}$ . By trimming and adjusting these weights, the standard deviation in weights is reduced from 6,154 to 5,115.

After trimming and adjusting, the final weight for the Encore Boston Harbor patron survey is WT6, with  $w_{\min} = 1381.02$ ,  $w_{mean} = 6931.24$ , and  $w_{\max} = 28,122.31$ .

## **Encore Boston Harbor 2022 Patron Survey Weight Data Set**

The data set of patron survey weights has 440 records corresponding to the 440 complete patron surveys. The weight variable is WT6, and has a minimum value of 1,381 and a maximum value of 28,122. A weight can be interpreted as the number of exiting patrons represented by the particular patron respondent.

# Appendix G: Access, Visitation Frequency, Reason for Visit, Duration of Stay, and Venue Experience

**Table 51. Patron Access to Encore Boston Harbor by day**

		Monday				Saturday				Combined			
		N <sup>1</sup>	N <sup>2</sup>	Weighted %	95% CI	N <sup>1</sup>	N <sup>2</sup>	Weighted %	95% CI	N <sup>1</sup>	N <sup>2</sup>	Weighted %	95% CI
How did you get here (Check all that apply)	Own vehicle or someone else's car	124	1,337,199	82.6	(74.2, 88.6)	235	1,126,468	82.2	(76.5, 86.7)	359	2,463,667	82.4	(77.4, 86.4)
	Rented car			--		<b>8</b>	<b>44,810</b>	<b>3.3</b>	<b>(1.6, 6.7)</b>	<b>12</b>	<b>87,118</b>	<b>2.9</b>	<b>(1.5, 5.6)</b>
	By taxi, rideshare or limo	11	137,838	8.5	(4.2, 16.3)	27	130,751	9.5	(6.5, 13.8)	38	268,589	9.0	(6.0, 13.2)
	By charter bus, shuttle, private coach, or runner van			--				--		<b>6</b>	<b>53,153</b>	<b>1.8</b>	<b>(0.6, 5.3)</b>
	By public transportation (such as MBTA or commuter rail)	7	72,218	4.5	(2.0, 9.7)	13	69,367	5.1	(2.6, 9.6)	20	141,585	4.7	(2.8, 7.9)
	By water			--				--				--	
	By bicycle			--				--				--	
	By foot (walked here)			--				--		<b>6</b>	<b>33,333</b>	<b>1.1</b>	<b>(0.5, 2.6)</b>
Part of my trip involved travel by airplane)			--				--		<b>6</b>	<b>38,298</b>	<b>1.3</b>	<b>(0.5, 3.6)</b>	
Any problems getting here (Check all that apply)	No problems	138	1,423,954	89.8	(81.4, 94.7)	256	1,233,628	90.2	(85.6, 93.5)	394	2,657,582	90.0	(85.4, 93.3)
	Got lost			--				--				--	
	Lots of traffic	8	105,290	65.2	(28.1, 90.0)	16	82,680	61.9	(40.9, 79.2)	24	187,969	63.7	(41.1, 81.5)
	Difficulty finding parking			--		<b>6</b>	<b>39,854</b>	<b>29.8</b>	<b>(14.1, 52.4)</b>	<b>7</b>	<b>67,977</b>	<b>23.0</b>	<b>(9.5, 46.1)</b>
	Long wait for transportation			--		0	0	0.0	(, )			--	
	Limited sidewalks	0	0	0.0	(, )			--				--	
	Road construction			--				--		<b>6</b>	<b>43,713</b>	<b>14.8</b>	<b>(5.9, 32.4)</b>
How often have you visited this facility?	This is my first visit	17	194,865	12.5	(7.5, 20.0)	65	314,343	23.5	(18.5, 29.4)	82	509,209	17.6	(13.8, 22.2)
	>=4 times a week	18	213,446	13.7	(8.1, 22.3)	19	115,319	8.6	(5.0, 14.4)	37	328,765	11.4	(7.7, 16.5)
	2-3 times a week	36	358,348	23.0	(16.0, 31.8)	45	228,966	17.1	(12.4, 23.1)	81	587,314	20.3	(15.8, 25.6)
	Once a week	25	261,821	16.8	(10.9, 25.1)	<b>16</b>	<b>77,010</b>	<b>5.8</b>	<b>(3.1, 10.4)</b>	41	338,831	11.7	(8.1, 16.5)
	2-3 times a month	19	205,490	13.2	(7.9, 21.2)	40	194,892	14.6	(10.3, 20.2)	59	400,382	13.8	(10.1, 18.6)
	Once a month	13	179,213	11.5	(6.7, 19.1)	32	144,210	10.8	(7.3, 15.6)	45	323,423	11.2	(7.9, 15.5)
	< once a month	14	144,945	9.3	(5.2, 16.1)	56	263,379	19.7	(14.9, 25.5)	70	408,324	14.1	(10.7, 18.3)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 52. Frequency of visits to Encore Boston Harbor by Geographic Origin**

		Host and surrounding community				Other municipalities in MA				Outside of MA or unknown			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
How often have you visited this facility?	1=less than monthly	35	256,108	20.7	(14.2, 29.2)	64	350,090	34.0	(26.1, 42.8)	53	311,335	49.4	(36.9, 62.0)
	2=monthly	41	261,086	21.1	(14.8, 29.2)	45	323,878	31.4	(23.0, 41.3)	18	138,840	22.0	(12.8, 35.3)
	3=weekly	86	717,687	58.1	(48.6, 67.0)	52	356,824	34.6	(26.1, 44.2)	21	180,399	28.6	(17.9, 42.4)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

**Table 53. Frequency of visits to Encore Boston Harbor by Race/Ethnicity**

		Hispanic Weighted				White alone Weighted				Black alone Weighted				Asian alone Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	un2	n2	p2	ci2	un3	n3	p3	ci3	un4	n4	p4	ci4
How often have you visited this facility?	1=less than monthly	11	62,012	28.7	(15.7, 46.6)	100	590,442	40.0	(33.0, 47.5)	7	<i>51,428</i>	<i>21.9</i>	<i>( 9.9, 41.6)</i>	13	<i>101,141</i>	<i>14.5</i>	<i>( 6.9, 27.9)</i>
	2=monthly	11	49,583	23.0	(11.5, 40.7)	58	352,845	23.9	(18.0, 31.0)	14	<i>67,313</i>	<i>28.6</i>	<i>(16.0, 45.8)</i>	12	<i>176,296</i>	<i>25.3</i>	<i>(14.0, 41.3)</i>
	3=weekly	16	104,267	48.3	(30.2, 66.8)	83	531,492	36.0	(29.2, 43.4)	22	<i>116,246</i>	<i>49.5</i>	<i>(32.9, 66.1)</i>	25	<i>420,301</i>	<i>60.2</i>	<i>(44.2, 74.4)</i>

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited EBH in Everett.

Note: A dash indicates that the cell size is less than 6

Note: Italics indicates estimates are unreliable, relative standard error > 30%

**Table 54. Did Encore Boston Harbor Prompt Visit to Town or State by day of data collection**

		Monday				Saturday				Combined			
		N <sup>1</sup>	N <sup>2</sup>	Weighted		N <sup>1</sup>	N <sup>2</sup>	Weighted		N <sup>1</sup>	N <sup>2</sup>	Weighted	
				%	95% CI			%	95% CI			%	95% CI
Did Encore Boston Harbor prompt your visit to this town or state?	No	58	601,276	37.2	(28.7, 46.5)	87	392,354	28.4	(22.9, 34.6)	145	993,630	33.1	(27.8, 38.9)
	Yes	91	1,016,538	62.8	(53.5, 71.3)	196	989,593	71.6	(65.4, 77.1)	287	2,006,131	66.9	(61.1, 72.2)
<b>Patrons from MA:</b> What was your main reason for visiting <u>Everett</u> today?	To visit Encore Boston Harbor	78	860,362	66.0	(55.6, 75.0)	159	790,664	75.6	(68.9, 81.2)	237	1,651,027	70.2	(63.8, 76.0)
	For shopping or recreation other than the casino	<b>8</b>	<b>68,921</b>	<b>5.3</b>	<b>(2.5, 10.9)</b>	<b>9</b>	<b>45,881</b>	<b>4.4</b>	<b>(2.1, 8.8)</b>	17	114,802	4.9	(2.9, 8.2)
	To visit friends or family			--				--		<b>7</b>	<b>69,268</b>	<b>3.0</b>	<b>(1.1, 7.6)</b>
	For business or work			--				--				--	
	I live here	15	132,537	10.2	(5.5, 17.9)	22	90,795	8.7	(5.6, 13.2)	37	223,332	9.5	(6.4, 13.9)
	Some other reason	17	186,983	14.3	(8.4, 23.3)	17	74,344	7.1	(4.3, 11.6)	34	261,327	11.1	(7.4, 16.3)
<b>Patrons from outside MA:</b> What was your main reason for visiting <u>Massachusetts</u> today?	To visit Encore Boston Harbor	13	156,176	49.8	(29.7, 70.0)	37	198,929	59.2	(45.3, 71.9)	50	355,104	54.7	(42.2, 66.7)
	For shopping or recreation other than the casino			--				--				--	
	To visit friends or family			--		<b>10</b>	<b>42,660</b>	<b>12.7</b>	<b>(6.5, 23.4)</b>	<b>12</b>	<b>55,797</b>	<b>8.6</b>	<b>(4.6, 15.6)</b>
	For business or work			--				--				--	
	I live here			--				--		<b>9</b>	<b>74,047</b>	<b>11.4</b>	<b>(5.3, 22.8)</b>
	Some other reason			--		<b>10</b>	<b>48,200</b>	<b>14.4</b>	<b>(6.3, 29.5)</b>	<b>15</b>	<b>90,097</b>	<b>13.9</b>	<b>(7.5, 24.3)</b>

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 55. Length of Stay in Massachusetts among Patrons from Outside Massachusetts by day of data collection**

		Monday				Saturday				Combined			
		N <sup>1</sup>	Weighted			N <sup>1</sup>	Weighted			N <sup>1</sup>	Weighted		
			N <sup>2</sup>	%	95% CI		N <sup>2</sup>	%	95% CI		N <sup>2</sup>	%	95% CI
How many days are you visiting MA?	One day or less	<i>8</i>	<i>88,477</i>	<i>30.0</i>	<i>(14.5, 52.2)</i>	31	164,392	52.1	(38.8, 65.2)	39	252,869	41.5	(29.8, 54.2)
	More than one day	18	206,025	70.0	(47.8, 85.5)	35	150,958	47.9	(34.8, 61.2)	53	356,983	58.5	(45.8, 70.2)
How many days are you visiting MA?	Mean (95% CI)			--		148	1,587,602	2.0	(1.3, 2.8)	429	2,947,016	1.8	(1.3, 2.2)
	Median (95% CI)			--		148	1,587,602	1.0	(1.0, 1.0)	429	2,947,016	1.0	(1.0, 1.0)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 56. Patron Visit Experience by day of data collection**

		Monday				Saturday				Combined			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
Do you have a loyalty or rewards card with the casino?	No	28	333,691	20.4	(13.7, 29.4)	91	450,327	32.6	(26.8, 39.0)	119	784,018	26.0	(21.2, 31.4)
	Yes	123	1,299,202	79.6	(70.6, 86.3)	192	930,728	67.4	(61.0, 73.2)	315	2,229,930	74.0	(68.6, 78.8)
Did you have an enjoyable time during your visit today?	No	16	174,357	10.8	(6.3, 18.0)	25	138,479	10.1	(6.3, 15.9)	41	312,837	10.5	(7.3, 14.9)
	Yes	132	1,436,740	89.2	(82.0, 93.7)	257	1,229,019	89.9	(84.1, 93.7)	389	2,665,760	89.5	(85.1, 92.7)
What did you like the most about your visit here today (Pick up to 3 things)	Playing the games	102	1,134,478	72.2	(63.4, 79.5)	183	898,599	66.0	(59.3, 72.0)	285	2,033,077	69.3	(63.8, 74.3)
	Easy access to games	32	331,662	21.1	(14.4, 29.8)	47	229,802	16.9	(12.4, 22.5)	79	561,464	19.1	(14.8, 24.3)
	Different food and beverage options	18	196,648	12.5	(7.5, 20.0)	40	202,950	14.9	(10.7, 20.4)	58	399,598	13.6	(10.1, 18.1)
	Friendliness of the casino staff	42	423,950	27.0	(19.8, 35.6)	69	333,128	24.5	(19.0, 30.9)	111	757,078	25.8	(21.1, 31.2)
	Non-gambling entertainment			--		<b>10</b>	<b>52,879</b>	<b>3.9</b>	<b>(2.0, 7.2)</b>	<b>13</b>	<b>83,055</b>	<b>2.8</b>	<b>(1.5, 5.2)</b>
	Convenient parking	30	333,534	21.2	(14.5, 29.9)	60	275,539	20.2	(15.4, 26.1)	90	609,073	20.8	(16.3, 26.0)
	Variety of game choices	14	115,178	7.3	(4.1, 12.7)	35	181,882	13.4	(9.1, 19.2)	49	297,059	10.1	(7.3, 13.9)
	Quality of the food and beverage	<b>11</b>	<b>124,491</b>	<b>7.9</b>	<b>(4.0, 14.9)</b>	23	117,519	8.6	(5.4, 13.6)	34	242,010	8.2	(5.5, 12.3)
	Friendliness of the food and beverage			--		16	89,511	6.6	(3.7, 11.5)	21	150,154	5.1	(3.0, 8.6)
	Way the facility looks and feels inside	<b>12</b>	<b>125,598</b>	<b>8.0</b>	<b>(4.4, 14.2)</b>	30	151,347	11.1	(7.7, 15.8)	42	276,945	9.4	(6.7, 13.1)
	Facility is non smoking	17	177,039	11.3	(6.5, 18.8)	42	172,929	12.7	(9.1, 17.4)	59	349,969	11.9	(8.7, 16.2)
	Shops and retail			--				--		<b>6</b>	<b>38,775</b>	<b>1.3</b>	<b>(0.5, 3.3)</b>
	How easy it was to get here	15	143,897	9.2	(5.3, 15.4)	30	159,805	11.7	(7.8, 17.2)	45	303,702	10.4	(7.4, 14.3)
	None of the above	<b>8</b>	<b>78,366</b>	<b>5.0</b>	<b>(2.4, 10.3)</b>	15	55,751	4.1	(2.4, 6.9)	23	134,117	4.6	(2.8, 7.4)
Would you return to this facility?	No			--		<b>6</b>	<b>23,278</b>	<b>1.7</b>	<b>(0.7, 3.9)</b>	<b>9</b>	<b>73,332</b>	<b>2.4</b>	<b>(1.0, 6.0)</b>
	Yes	138	1,450,111	89.1	(80.4, 94.2)	247	1,198,746	87.6	(82.4, 91.3)	385	2,648,857	88.4	(83.6, 91.9)
	Maybe	<b>9</b>	<b>127,820</b>	<b>7.8</b>	<b>(3.8, 15.7)</b>	29	147,205	10.8	(7.2, 15.8)	38	275,025	9.2	(6.1, 13.5)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

## Appendix H: Geographic Origin and Demographic Characteristics

**Table 57. Geographic Origin by Day of Collection**

		Monday				Saturday				Combined			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
Geographic origin	Host and surrounding communities	62	720,344	43.8	(34.9, 53.1)	109	553,283	39.4	(33.1, 46.1)	171	1,273,626	41.8	(36.1, 47.7)
	Other municipalities in MA	61	599,220	36.4	(28.3, 45.3)	111	512,586	36.5	(30.5, 43.0)	172	1,111,806	36.5	(31.2, 42.1)
	Outside of MA or unknown	29	326,439	19.8	(13.4, 28.3)	68	337,873	24.1	(18.8, 30.3)	97	664,313	21.8	(17.4, 27.0)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.



**Table 58. Demographics by Day of Data Collection**

		Monday				Saturday				Combined			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
Gender	Female	69	579,728	35.2	(27.3, 44.1)	149	589,311	42.0	(35.8, 48.5)	218	1,169,039	38.3	(33.0, 43.9)
	Male	72	942,861	57.3	(48.2, 65.9)	124	740,222	52.7	(46.1, 59.2)	196	1,683,082	55.2	(49.4, 60.8)
	Prefer not to say	<b>11</b>	<b>123,414</b>	<b>7.5</b>	<b>( 4.1, 13.4)</b>	15	74,209	5.3	( 3.2, 8.7)	26	197,623	6.5	( 4.2, 9.8)
Race	Hispanic	<b>11</b>	<b>88,178</b>	<b>5.8</b>	<b>( 2.9, 11.3)</b>	27	127,684	9.7	( 6.5, 14.4)	38	215,862	7.6	( 5.2, 11.0)
	White alone	87	838,197	54.9	(45.0, 64.4)	168	722,451	55.1	(48.0, 62.0)	255	1,560,648	55.0	(48.8, 61.1)
	Black alone	<b>12</b>	<b>104,655</b>	<b>6.9</b>	<b>( 3.7, 12.4)</b>	31	130,332	9.9	( 6.9, 14.1)	43	234,987	8.3	( 5.9, 11.5)
	Asian alone	24	452,562	29.6	(20.6, 40.6)	28	254,674	19.4	(13.3, 27.5)	52	707,236	24.9	(19.0, 31.9)
	Some other race alone			--				--				--	
	Two or more races			--		13	60,595	4.6	( 2.6, 7.9)	18	101,069	3.6	( 2.1, 5.9)
Age	<30	<b>12</b>	<b>147,877</b>	<b>10.5</b>	<b>( 5.6, 18.7)</b>	53	310,598	26.7	(20.8, 33.6)	65	458,475	17.8	(13.7, 22.9)
	30-50	36	589,619	41.9	(32.0, 52.4)	76	461,302	39.7	(32.7, 47.1)	112	1,050,921	40.9	(34.5, 47.6)
	51+	80	671,195	47.6	(37.9, 57.6)	112	390,982	33.6	(26.9, 41.0)	192	1,062,177	41.3	(35.2, 47.7)
	Mean (95% CI)	128	1,408,692	49.6	( 46.6, 52.6)	241	1,162,881	43.9	(41.4, 46.3)	369	2,571,573	47.0	( 45.0, 49.0)
	Median (95% CI)	128	1,408,692	48.0	( 43.0, 54.8)	241	1,162,881	42.0	(38.0, 46.1)	369	2,571,573	45.0	( 42.0, 48.0)
Education	High school or less	34	311,014	20.6	(14.3, 28.7)	68	330,615	24.6	(19.1, 31.1)	102	641,629	22.5	(18.1, 27.6)
	Some college or Bachelors	90	1,007,797	66.8	(57.4, 75.0)	156	758,618	56.5	(49.6, 63.1)	246	1,766,415	61.9	(56.0, 67.5)
	Beyond Bachelor's degree	16	191,099	12.7	( 7.4, 20.8)	52	253,873	18.9	(14.2, 24.7)	68	444,972	15.6	(11.8, 20.4)
Employment	1=employed	89	1,071,920	70.3	(61.8, 77.7)	190	971,403	73.1	(66.7, 78.7)	279	2,043,323	71.6	(66.3, 76.4)
	2=unemployed			--		<b>6</b>	<b>27,425</b>	<b>2.1</b>	<b>( 0.9, 4.8)</b>	<b>8</b>	<b>39,053</b>	<b>1.4</b>	<b>( 0.7, 2.8)</b>
	3=retired	42	347,961	22.8	(16.5, 30.7)	48	186,550	14.0	(10.1, 19.2)	90	534,511	18.7	(14.8, 23.5)
	4=student/homemaker /disabled	9	92,647	6.1	( 3.0, 12.0)	29	142,859	10.8	( 7.1, 16.0)	38	235,506	8.3	( 5.7, 11.9)
Marital Status	Never married	42	530,084	35.4	(26.5, 45.4)	67	376,165	27.9	(22.2, 34.6)	109	906,249	31.8	(26.3, 38.0)
	Living with partner/Married/ Widowed	74	740,253	49.4	(39.9, 59.0)	183	882,082	65.5	(58.8, 71.6)	257	1,622,335	57.0	(50.8, 63.0)
	Divorced or Separated	23	228,703	15.3	( 9.5, 23.5)	24	88,367	6.6	( 4.3, 10.0)	47	317,070	11.1	( 7.8, 15.7)
Military status	Yes, now on active duty			--		<b>9</b>	<b>38,257</b>	<b>2.9</b>	<b>( 1.4, 5.6)</b>	<b>13</b>	<b>78,923</b>	<b>2.8</b>	<b>( 1.4, 5.3)</b>
	Yes, on active duty in the past but not currently	12	111,229	7.4	( 4.1, 13.2)	19	86,681	6.5	( 4.0, 10.3)	31	197,911	7.0	( 4.7, 10.2)
	No never served in the military	124	1,343,846	89.8	(83.4, 94.0)	246	1,209,650	90.6	(86.4, 93.6)	370	2,553,496	90.2	(86.5, 93.0)
Annual household	less than \$15,000	<b>9</b>	<b>102,584</b>	<b>6.8</b>	<b>(3.2, 14.0)</b>	21	124,461	9.4	(5.6, 15.2)	30	227,045	8.0	( 5.2, 12.3)
	15,000 - \$29,000	14	113,663	7.6	(4.2, 13.3)	13	58,978	4.4	(2.5, 7.9)	27	172,641	6.1	( 4.0, 9.3)

		Monday				Saturday				Combined			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
Income	30,000 - \$49,000	14	123,958	8.3	(4.6, 14.4)	39	171,749	12.9	(9.3, 17.8)	53	295,708	10.5	(7.6, 14.1)
	50,000 - \$69,000	26	333,279	22.2	(14.9, 31.9)	34	178,707	13.5	(9.5, 18.7)	60	511,985	18.1	(13.6, 23.7)
	70,000 - \$99,000	24	262,784	17.5	(11.2, 26.4)	43	215,011	16.2	(11.5, 22.3)	67	477,794	16.9	(12.7, 22.2)
	100,000 - \$124,999	20	221,128	14.7	(9.0, 23.2)	38	179,826	13.6	(9.5, 19.0)	58	400,954	14.2	(10.4, 19.1)
	125,000 - \$149,999	15	150,042	10.0	(5.8, 16.7)	22	92,342	7.0	(4.4, 10.8)	37	242,384	8.6	(5.9, 12.3)
	150,000 or more	17	192,301	12.8	(7.6, 20.7)	62	306,312	23.1	(17.8, 29.3)	79	498,614	17.6	(13.7, 22.5)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

Note: Those with blank cell have a sample size of five or less.

**Table 59. Demographics by Geographic Origin**

		Host and surrounding communities				Other municipalities in MA				Outside of MA or unknown			
		Weighted				Weighted				Weighted			
		N1	N2	%	95% CI	N1	N2	%	95% CI	N1	N2	%	95% CI
Gender	Female	80	500,332	39.3	(33.4, 45.4)	93	445,846	40.1	(34.7, 45.7)	45	222,861	33.6	(27.0, 40.7)
	Male	81	689,078	54.1	(47.9, 60.2)	73	633,226	57.0	(51.2, 62.5)	42	360,778	54.3	(46.4, 62.0)
	Prefer not to say	<b>10</b>	<b>84,217</b>	<b>6.6</b>	<b>(4.2, 10.2)</b>	<b>6</b>	<b>32,733</b>	<b>2.9</b>	<b>(1.7, 5.0)</b>	<b>10</b>	<b>80,673</b>	<b>12.1</b>	<b>(7.8, 18.4)</b>
Race	Hispanic	21	130,134	10.7	(7.6, 14.8)	<b>14</b>	<b>65,987</b>	<b>6.2</b>	<b>(4.1, 9.0)</b>			--	
	White alone	80	481,172	39.6	(33.9, 45.5)	118	745,351	69.4	(63.2, 75.1)	57	334,124	61.0	(51.3, 69.8)
	Black alone	31	182,738	15.0	(11.6, 19.3)	<b>7</b>	<b>33,275</b>	<b>3.1</b>	<b>(1.8, 5.2)</b>			--	
	Asian alone	26	379,079	31.2	(24.7, 38.4)	15	177,885	16.6	(11.5, 23.2)	11	150,272	27.4	(18.9, 38.0)
	Some other race alone			--						0	0	0.0	(, )
	Two or more races			--		<b>9</b>	<b>47,007</b>	<b>4.4</b>	<b>(2.8, 6.7)</b>	<b>6</b>	<b>24,678</b>	<b>4.5</b>	<b>(2.6, 7.7)</b>
	Age	<30	30	198,713	18.1	(14.1, 22.9)	21	127,233	13.0	(9.6, 17.3)	14	132,530	26.9
	30-50	41	458,756	41.8	(35.0, 48.9)	46	399,849	40.8	(34.4, 47.5)	25	192,315	39.0	(30.2, 48.5)
	51+	75	440,309	40.1	(33.8, 46.8)	84	453,280	46.2	(40.1, 52.5)	33	168,588	34.2	(25.6, 43.9)
	Mean (95% CI)	146	1,097,778	46.3	(44.4, 48.2)	151	980,362	48.2	(46.2, 50.2)	72	493,434	46.3	(42.8, 49.7)
	Median (95% CI)	146	1,097,778	43.4	(40.9, 48.0)	151	980,362	47.3	(41.4, 52.0)	72	493,434	45.0	(42.0, 49.0)
Education	High school or less	48	317,473	26.5	(21.5, 32.1)	32	183,283	16.8	(13.1, 21.3)	22	140,873	25.0	(18.2, 33.2)
	Some college or Bachelors	96	716,869	59.8	(53.5, 65.8)	100	699,959	64.1	(58.5, 69.4)	50	349,587	62.0	(53.3, 70.0)
	Beyond Bachelor's degree	19	163,808	13.7	(9.6, 19.1)	36	208,048	19.1	(15.1, 23.8)	<b>13</b>	<b>73,115</b>	<b>13.0</b>	(8.4, 19.5)
Employment	1=employed	99	789,550	67.3	(61.4, 72.7)	116	805,148	74.9	(69.8, 79.3)	64	448,625	74.2	(66.3, 80.8)
	2=unemployed			--				--		0	0	0.0	(, )
	3=retired	38	227,933	19.4	(15.2, 24.5)	37	221,743	20.6	(16.4, 25.5)	<b>15</b>	<b>84,835</b>	<b>14.0</b>	<b>(9.4, 20.5)</b>
	4=student/homemaker /disabled	20	131,782	11.2	(8.0, 15.5)	<b>9</b>	<b>32,860</b>	<b>3.1</b>	<b>(1.9, 4.8)</b>	<b>9</b>	<b>70,864</b>	<b>11.7</b>	<b>(7.2, 18.4)</b>
Marital Status	Never married	60	499,815	41.7	(35.4, 48.2)	33	252,557	24.0	(19.0, 29.8)	16	153,878	25.9	(18.6, 34.9)
	Living with partner/Married/ Widowed	81	569,750	47.5	(41.2, 53.9)	117	692,306	65.8	(59.5, 71.5)	59	360,279	60.7	(51.6, 69.1)
	Divorced or Separated	21	129,948	10.8	(7.7, 15.0)	14	107,653	10.2	(6.7, 15.3)	12	79,469	13.4	(8.1, 21.2)
Military status	Yes, now on active duty	<b>8</b>	<b>39,910</b>	<b>3.4</b>	<b>(2.0, 5.5)</b>			--				--	
	Yes, on active duty in the past but not currently	<b>13</b>	<b>82,957</b>	<b>7.0</b>	<b>(4.6, 10.5)</b>	<b>10</b>	<b>78,520</b>	<b>7.3</b>	<b>(4.8, 11.0)</b>	<b>8</b>	<b>36,435</b>	<b>6.4</b>	<b>(3.9, 10.2)</b>

		Host and surrounding communities				Other municipalities in MA				Outside of MA or unknown			
		Weighted				Weighted				Weighted			
		N1	N2	%	95% CI	N1	N2	%	95% CI	N1	N2	%	95% CI
	No never served in the military	142	1,058,181	89.6	(85.8, 92.4)	153	986,501	91.7	(88.0, 94.4)	75	508,814	88.7	(82.3, 92.9)
Annual household income	less than \$15,000	16	93,014	7.8	( 5.3, 11.2)	<b>9</b>	<b>81,024</b>	<b>7.5</b>	<b>(4.4, 12.6)</b>			--	
	15,000 - \$29,000	<b>14</b>	<b>87,770</b>	<b>7.3</b>	<b>(4.9, 10.9)</b>	<b>9</b>	<b>59,091</b>	<b>5.5</b>	<b>(3.4, 8.6)</b>			--	
	30,000 - \$49,000	25	129,972	10.8	(8.0, 14.5)	17	101,320	9.4	(6.6, 13.1)	<b>11</b>	<b>64,416</b>	<b>11.7</b>	<b>(7.3, 18.2)</b>
	50,000 - \$99,000	53	464,922	38.8	(32.6, 45.4)	51	365,248	33.8	(28.2, 40.0)	23	159,609	29.0	(21.4, 38.0)
	100,000 - \$149,999	35	290,822	24.3	(19.1, 30.3)	43	240,374	22.3	(17.9, 27.4)	17	112,142	20.4	(14.2, 28.4)
	150,000 or more	20	131,649	11.0	(7.9, 15.1)	37	231,972	21.5	(17.1, 26.7)	22	134,993	24.6	(17.6, 33.1)
Annual household income (collapsed)	1=Less than \$50,000	55	310,756	25.9	(21.3, 31.2)	35	241,435	22.4	(17.6, 28.0)	20	143,202	26.0	(18.9, 34.7)
	2=\$50,000-<\$100,000	53	464,922	38.8	(32.6, 45.4)	51	365,248	33.8	(28.2, 40.0)	23	159,609	29.0	(21.4, 38.0)
	3=\$100,000 and more	55	422,471	35.3	(29.4, 41.6)	80	472,346	43.8	(38.0, 49.8)	39	247,135	44.9	(36.2, 54.0)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

<sup>3</sup>Student, homemaker, disabled were combined into "Other" because of small sample sizes in each.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

Note: Those with blank cell have a sample size of five or less.

**Table 60. Demographics by Race/Ethnicity**

		Hispanic				White only				Black only				Asian only			
		Weighted				Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
	Total	38	215,862	7.6	(6.0, 9.7)	255	1,560,648	55.0	(50.9, 59.0)	43	234,987	8.3	(6.6, 10.3)	52	707,236	24.9	(21.0, 29.4)
Region	Host/surrounding community	21	130,134	60.3	(48.2, 71.2)	80	481,172	30.8	(26.7, 35.3)	31	182,738	77.8	(68.4, 85.0)	26	379,079	53.6	(43.2, 63.7)
	Live in MA	14	65,987	30.6	(21.0, 42.2)	118	745,351	47.8	(43.1, 52.5)	7	<b>33,275</b>	<b>14.2</b>	<b>(8.5, 22.7)</b>	15	177,885	25.2	(17.3, 35.0)
	Live outside of MA or missing zip					57	334,124	21.4	(17.7, 25.6)					<b>11</b>	<b>150,272</b>	<b>21.2</b>	<b>(14.0, 30.9)</b>
Gender	Female	20	79,740	36.9	(26.8, 48.3)	138	627,429	40.2	(35.9, 44.7)	16	86,130	36.6	(26.4, 48.2)	28	287,296	40.6	(31.1, 51.0)
	Male	17	127,759	59.2	(47.4, 70.0)	115	921,551	59.0	(54.5, 63.4)	24	136,203	58.0	(46.6, 68.6)	21	380,166	53.8	(43.4, 63.8)
	Prefer not to say																
Age	<30	<b>8</b>	<b>53,389</b>	<b>27.9</b>	<b>(17.9, 40.7)</b>	30	225,911	15.6	(12.3, 19.7)	<b>9</b>	<b>45,935</b>	<b>21.3</b>	<b>(14.0, 31.2)</b>	<b>13</b>	<b>105,360</b>	<b>17.5</b>	<b>(11.0, 26.5)</b>
	30-50	13	101,089	52.8	(39.7, 65.5)	62	516,577	35.8	(31.0, 40.9)	14	113,052	52.5	(40.9, 63.9)	13	255,104	42.3	(31.0, 54.4)
	51+	<b>12</b>	<b>36,899</b>	<b>19.3</b>	<b>(12.2, 29.0)</b>	144	701,121	48.6	(43.7, 53.5)	16	56,343	26.2	(18.2, 36.0)	13	242,722	40.2	(29.3, 52.2)
	Mean (95% CI)	33	191,378	39.7	(36.9, 42.5)	236	1,443,609	50.0	(48.3, 51.7)	39	215,330	42.4	(39.6, 45.1)	39	603,187	45.5	(42.2, 48.7)
	Median (95% CI)	33	191,378	37.4	(35.1, 41.6)	236	1,443,609	49.0	(47.1, 52.4)	39	215,330	40.0	(37.0, 46.8)	39	603,187	43.3	(40.0, 52.2)
Education	High school or less	<b>9</b>	<b>46,105</b>	<b>22.2</b>	<b>(14.3, 32.8)</b>	56	326,499	20.9	(17.4, 25.0)	12	52,223	22.8	(15.4, 32.3)	13	144,683	21.7	(14.5, 31.0)
	Some college or Bachelors	24	140,571	67.8	(56.1, 77.6)	153	963,912	61.8	(57.1, 66.2)	25	145,648	63.5	(52.3, 73.5)	29	429,971	64.4	(53.7, 73.8)
	Beyond Bachelors					46	270,236	17.3	(14.1, 21.0)					<b>7</b>	<b>92,807</b>	<b>13.9</b>	<b>(7.8, 23.6)</b>
Employment	1=employed	29	157,362	77.6	(64.0, 87.1)	162	1,059,493	68.2	(63.9, 72.2)	31	183,717	78.2	(69.0, 85.2)	34	498,435	76.6	(67.0, 84.1)
	2=unemployed					70	385,560	24.8	(21.2, 28.9)					<b>7</b>	<b>90,757</b>	<b>14.0</b>	<b>(8.1, 22.9)</b>
	3=retired 4=student/homemaker/d isabled					19	90,721	5.8	(4.2, 8.1)					<b>6</b>	<b>56,884</b>	<b>8.7</b>	<b>(4.8, 15.4)</b>
Marital status	Never married	11	68,741	31.8	(21.6, 44.2)	56	444,106	28.9	(24.5, 33.8)	15	98,043	41.7	(31.0, 53.3)	18	238,930	36.3	(26.4, 47.5)
	Living with partner/married/widowed	23	118,534	54.9	(42.3, 66.9)	164	911,083	59.4	(54.5, 64.0)	21	98,791	42.0	(31.7, 53.1)	27	359,363	54.5	(43.4, 65.2)
	Divorced or separated					30	179,473	11.7	(9.1, 15.0)	7	38,154	16.2	(9.4, 26.7)				
Ever served in military	Yes, now on active duty					19	124,619	8.0	(5.8, 10.8)								
	Yes, on active duty in the past but not currently No never served in the military	33	175,836	81.5	(68.0, 90.1)	232	1,401,383	89.8	(86.4, 92.4)	36	201,786	85.9	(77.7, 91.4)	44	627,555	96.4	(93.0, 98.2)
Income	1=Less than \$50,000	15	76,159	36.7	(25.6, 49.4)	54	339,025	21.9	(18.2, 26.1)	16	74,183	32.4	(23.3, 43.0)	15	153,580	23.0	(15.6, 32.5)
	2=\$50,000-<\$100,000	13	78,602	37.9	(26.6, 50.7)	84	555,361	35.9	(31.4, 40.6)	13	81,993	35.8	(25.4, 47.7)	13	251,723	37.7	(27.4, 49.2)
	3=\$100,000 and more	<b>9</b>	<b>52,738</b>	<b>25.4</b>	<b>(15.7, 38.3)</b>	114	651,910	42.2	(37.6, 46.9)	13	73,038	31.9	(22.0, 43.6)	21	262,159	39.3	(29.4, 50.1)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the total number of patrons in EBH Springfield in the past year

<sup>3</sup>Student, homemaker, disabled were combined into "Other" because of small sample sizes in each

Note: A dash indicates that the cell size is less than 6

**Table 61. Host and Surrounding Communities Resident Patron Demographics Compared to the Massachusetts Population**

		Encore Boston Harbor Patrons				Host and surrounding community in 2020 <sup>3</sup>	
		Host and Surrounding Community				%	SE
		N <sup>1</sup>	N <sup>2</sup>	%	SE		
Gender	Female	80	500,332	39.3	4.7	48.8	0.7
	Male	81	689,078	54.1	4.8	51.2	0.7
	Prefer not to say	<b>10</b>	<b>84,217</b>	<b>6.6</b>	<b>2.3</b>		
Race/ Ethnicity	Hispanic	21	130,134	10.7	2.8	17.3	0.6
	White alone	80	481,172	39.6	4.6	54.3	0.7
	Black alone	31	182,738	15.0	3.0	13.1	0.5
	Asian alone	26	379,079	31.2	5.4	11.2	0.4
	Some other race alone					0.9	0.1
	Two or more races					3.2	0.2
Age	18-20					6.9	0.3
	21-24	16	114,589	10.4	2.8	9.8	0.4
	25-34	22	166,482	15.2	3.4	27.7	0.6
	35-54	44	436,505	39.8	5.5	29.1	0.6
	55-64	33	219,659	20.0	4.4	11.6	0.4
	65-79	30	154,824	14.1	2.9	11.2	0.4
	80+					3.6	0.2
Education	Less than high school	<b>12</b>	<b>80,661</b>	<b>6.7</b>	<b>2.5</b>	10.3	0.4
	High School or GED	36	236,812	19.8	3.6	19.5	0.5
	Some college	50	322,270	26.9	4.3	22.3	0.6
	Bachelor's Degree	46	394,599	32.9	4.9	27.4	0.6
	Masters, PHD or professional	19	163,808	13.7	3.7	20.4	0.5
Annual Household Income	Less than \$15,000	16	93,014	7.8	2.3	7.7	0.4
	\$15,000-<30,000	<b>14</b>	<b>87,770</b>	<b>7.3</b>	<b>2.3</b>	6.4	0.3
	\$30,000-<50,000	25	129,972	10.8	2.5	9.6	0.4
	\$50,000-<100,000	53	464,922	38.8	5.1	22.9	0.6
	\$100,000-<150,000	35	290,822	24.3	4.4	19.9	0.6
	\$150,000 and more	20	131,649	11.0	2.8	33.5	0.7

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year

<sup>3</sup>Source: U.S. Census Bureau, 2020 American Community Survey PUMS

Note: Italics indicates estimates are unreliable, relative standard error > 30%

Note: Those with blank cell have a sample size of five or less.

## Appendix I: Patron Activities

**Table 62. Gambling Activities Participated in by day of data collection**

		Monday				Saturday				Combined			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
Gambling activity in Encore Boston Harbor (Check all that apply)	Did not gamble	14	160,285	9.9	(5.8, 16.7)	31	162,684	11.8	(8.2, 16.7)	45	322,968	10.8	(7.8, 14.8)
	Slots	103	1,004,759	62.3	(52.7, 71.1)	191	869,550	63.1	(56.3, 69.4)	294	1,874,309	62.7	(56.7, 68.3)
	Table games	45	619,285	38.4	(29.5, 48.2)	92	507,482	36.8	(30.4, 43.7)	137	1,126,767	37.7	(31.9, 43.8)
	Lottery	<b>7</b>	<b>97,727</b>	<b>6.1</b>	<b>(2.7, 13.1)</b>	14	59,945	4.4	(2.5, 7.5)	21	157,672	5.3	(3.1, 8.9)
Where have you visited casinos in the past year (Check all that apply)	Did not visit other casinos	40	369,877	23.5	(17.0, 31.7)	106	507,225	37.8	(31.4, 44.6)	146	877,103	30.1	(25.2, 35.5)
	Massachusetts	28	325,648	20.9	(14.0, 29.9)	47	233,259	17.4	(12.6, 23.5)	75	558,907	19.3	(14.8, 24.7)
	Connecticut	72	815,055	52.2	(42.8, 61.5)	91	428,785	32.0	(26.2, 38.5)	163	1,243,839	42.9	(37.0, 49.0)
	Rhode Island	44	493,034	31.6	(23.4, 41.2)	52	237,963	17.8	(13.2, 23.5)	96	730,997	25.2	(20.1, 31.0)
	New Jersey			--		13	71,797	5.4	(3.1, 9.2)	18	113,299	3.9	(2.3, 6.5)
	New York	<b>7</b>	<b>76,834</b>	<b>4.9</b>	<b>(2.3, 10.3)</b>	<b>9</b>	<b>48,457</b>	<b>3.6</b>	<b>(1.8, 7.0)</b>	16	125,291	4.3	(2.5, 7.3)
	Pennsylvania			--		<b>7</b>	<b>44,808</b>	<b>3.4</b>	<b>(1.6, 7.0)</b>	<b>10</b>	<b>96,899</b>	<b>3.3</b>	<b>(1.6, 6.8)</b>
	Maine			--		22	101,921	7.6	(4.9, 11.7)	26	136,502	4.7	(3.0, 7.3)
	Nevada	17	172,720	11.1	(6.5, 18.1)	28	154,501	11.5	(7.7, 16.9)	45	327,221	11.3	(8.1, 15.6)
	Canadian casinos			--		<b>7</b>	<b>36,676</b>	<b>2.7</b>	<b>(1.2, 6.1)</b>	<b>8</b>	<b>54,101</b>	1.9	(0.8, 4.3)
	Asian casinos			--									
	European casinos			--									
	Online casinos			--		<b>7</b>	<b>34,425</b>	<b>2.6</b>	<b>(1.2, 5.4)</b>	<b>10</b>	<b>75,184</b>	<b>2.6</b>	<b>(1.2, 5.4)</b>
	Other	<b>12</b>	<b>147,376</b>	<b>9.4</b>	<b>(5.1, 16.9)</b>	14	62,341	4.7	(2.7, 8.0)	26	209,718	7.2	(4.5, 11.4)
Number of states visited casino in past year	0	46	431,359	26.2	(19.4, 34.4)	118	563,297	40.1	(33.8, 46.8)	164	994,656	32.6	(27.7, 38.0)
	1	55	671,674	40.8	(32.0, 50.2)	103	531,826	37.9	(31.5, 44.7)	158	1,203,500	39.5	(33.8, 45.4)
	2	26	273,652	16.6	(10.7, 24.9)	33	147,927	10.5	(7.4, 14.8)	59	421,579	13.8	(10.2, 18.6)
	3	16	172,007	10.4	(6.0, 17.5)	21	94,957	6.8	(4.2, 10.6)	37	266,964	8.8	(5.9, 12.7)
	4+	<b>9</b>	<b>97,310</b>	<b>5.9</b>	<b>(2.8, 12.2)</b>	13	65,735	4.7	(2.6, 8.2)	22	163,045	5.4	(3.2, 8.8)
Pattern of states visited casino in past year	1=none	39	358,109	22.8	(16.3, 30.8)	104	502,905	37.4	(31.1, 44.3)	143	861,014	29.5	(24.7, 34.9)
	2=MA only	<b>6</b>	<b>92,083</b>	<b>5.9</b>	<b>(2.5, 13.1)</b>	17	111,707	8.3	(4.7, 14.2)	23	203,790	7.0	(4.3, 11.2)
	3=CT only	25	300,613	19.1	(12.5, 28.1)	39	189,861	14.1	(10.2, 19.3)	64	490,475	16.8	(12.6, 22.1)
	4=MA and CT only			--				--				--	
	5=MA and CT and other states	12	125,371	8.0	(4.1, 14.8)	17	69,278	5.2	(3.1, 8.5)	29	194,649	6.7	(4.2, 10.4)
	6=MA and CT and other states and out			--				--		6	39,297	1.4	(0.5, 3.5)

		Monday				Saturday				Combined			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
	of US												
	7=MA and CT and other states and out of US and online					0	0	0.0	( , )				
	8=(MA or CT) and (other states or out of US or online)	29	312,654	19.9	(13.3, 28.6)	41	199,038	14.8	(10.8, 20.0)	70	511,692	17.6	(13.4, 22.7)
	9=NOT(MA or CT) and (other states or out of US or online)	26	291,617	18.5	(12.3, 26.9)	53	261,298	19.4	(14.5, 25.6)	79	552,915	19.0	(14.7, 24.1)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6. Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 63. Patterns of Gambling Activity**

Activities	UN <sup>1</sup>	N <sup>2</sup>	% <sup>2</sup>	95% CI <sup>2</sup>
<b>Total</b>	387	2,667,177		
<b>Slots</b>	237	1,455,962	54.6	(48.2, 60.8)
<b>Table Games</b>	88	770,978	28.9	(23.2, 35.4)
<b>Lottery</b>			--	
<b>Slots and Table games</b>	41	282,565	10.6	( 7.3, 15.1)
<b>Slots and Lottery</b>	<b>9</b>	<b>65,878</b>	<b>2.5</b>	<b>(1.1, 5.3)</b>
<b>Table games and Lottery</b>			--	
<b>Slots, Table games and Lottery</b>	<b>7</b>	<b>69,902</b>	<b>2.6</b>	<b>(1.0, 6.7)</b>



**Table 64. Gambling Activities by Geographic Origin**

		Host and surrounding community				Other municipalities in MA				Outside of MA or unknown			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
Did not gamble	No	155	1,160,148	93.2	(87.6, 96.4)	148	945,623	86.4	(78.9, 91.5)	84	561,407	86.2	(75.2, 92.8)
	Yes	12	83,937	6.8	(3.6, 12.4)	21	149,235	13.6	( 8.5, 21.1)	<b>12</b>	<b>89,796</b>	<b>13.8</b>	<b>(7.2, 24.7)</b>
Slots	No	52	458,478	36.8	(28.1, 46.6)	52	367,758	33.6	(25.2, 43.2)	34	289,601	44.5	(32.3, 57.3)
	Yes	115	785,607	63.2	(53.4, 71.9)	117	727,099	66.4	(56.8, 74.8)	62	361,602	55.5	(42.7, 67.7)
Table games	No	107	704,761	56.6	(46.8, 66.0)	121	768,171	70.2	(60.6, 78.2)	67	390,446	60.0	(46.6, 71.9)
	Yes	60	539,324	43.4	(34.0, 53.2)	48	326,687	29.8	(21.8, 39.4)	29	260,757	40.0	(28.0, 53.4)
Lottery	No	161	1,183,959	95.2	(87.2, 98.3)	160	1,057,992	96.6	(92.9, 98.4)	90	590,523	90.7	(79.3, 96.1)
	Yes	<b>6</b>	<b>60,126</b>	<b>4.8</b>	<b>(1.7, 12.8)</b>	<b>9</b>	<b>36,866</b>	<b>3.4</b>	<b>(1.6, 7.1)</b>	<b>6</b>	<b>60,680</b>	<b>9.3</b>	<b>(3.9, 20.7)</b>

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 65. Gambling Activities by Loyalty Card Membership**

	Loyalty card membership							
	No				Yes			
	Weighted				Weighted			
	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
Slots	55	327,727	17.5	(12.8, 23.4)	239	1,546,581	82.5	(76.6, 87.2)
Table games	47	336,913	29.9	(21.4, 40.1)	90	789,855	70.1	(59.9, 78.6)
Lottery	<b>7</b>	<b>46,160</b>	<b>29.3</b>	<b>(11.5, 56.8)</b>	14	111,512	70.7	(43.2, 88.5)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 66. Non-gambling Activities Participated in Encore Boston Harbor by Day of data collection**

		Monday				Saturday				Combined			
		N <sup>1</sup>	N <sup>2</sup>	Weighted		N <sup>1</sup>	N <sup>2</sup>	Weighted		N <sup>1</sup>	N <sup>2</sup>	Weighted	
				%	95% CI			%	95% CI			%	95% CI
Non-gambling activity in Encore Boston Harbor (Check all that apply)	Food or beverage	101	1,108,075	68.4	(59.2, 76.4)	190	928,210	67.6	(61.2, 73.5)	291	2,036,286	68.1	(62.4, 73.3)
	Hotel	25	324,183	20.0	(13.2, 29.2)	42	208,166	15.2	(10.9, 20.8)	67	532,349	17.8	(13.4, 23.2)
	Shopping	22	301,967	18.6	(11.8, 28.2)	30	178,435	13.0	(8.7, 19.1)	52	480,402	16.1	(11.6, 21.8)
	Waterfront related activities	<b>8</b>	<b>128,007</b>	<b>7.9</b>	<b>(3.7, 16.1)</b>	17	89,760	6.5	(3.7, 11.3)	25	217,767	7.3	(4.4, 11.8)
	Entertainment	12	219,129	13.5	(7.6, 22.9)	38	193,104	14.1	(10.1, 19.3)	50	412,233	13.8	(9.8, 19.0)
	Spa or salon			--		<b>9</b>	<b>34,861</b>	<b>2.5</b>	<b>(1.2, 5.2)</b>	<b>14</b>	<b>95,747</b>	<b>3.2</b>	<b>(1.6, 6.5)</b>
	Other			--		<b>7</b>	<b>25,487</b>	<b>1.9</b>	<b>(0.8, 4.1)</b>	<b>11</b>	<b>65,495</b>	<b>2.2</b>	<b>(1.1, 4.5)</b>
None	38	374,997	23.2	(16.4, 31.6)	55	241,335	17.6	(13.4, 22.8)	93	616,332	20.6	(16.3, 25.6)	

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 67. Non-gambling Activities in Encore Boston Harbor by Geographic Origin**

		Host and surrounding community				Other municipalities in MA				Outside of MA or unknown			
		N <sup>1</sup>	N <sup>2</sup>	Weighted		N <sup>1</sup>	N <sup>2</sup>	Weighted		N <sup>1</sup>	N <sup>2</sup>	Weighted	
				%	95% CI			%	95% CI			%	95% CI
Non-gambling activity in Encore Boston Harbor (Check all that apply)	Food or beverage	106	804,189	64.9	(55.4, 73.4)	118	778,111	70.3	(61.5, 77.8)	67	453,985	70.2	(57.2, 80.6)
	Hotel	20	191,535	15.5	(9.0, 25.2)	24	200,365	18.1	(11.3, 27.6)	23	140,448	21.7	(13.6, 32.8)
	Shopping	19	195,258	15.8	(9.3, 25.5)	25	226,417	20.4	(13.0, 30.6)	8	58,727	9.1	(3.4, 22.0)
	Waterfront related activities	<b>11</b>	<b>108,936</b>	<b>8.8</b>	<b>(4.3, 17.2)</b>	<b>10</b>	<b>93,379</b>	<b>8.4</b>	<b>(3.8, 17.7)</b>				
	Entertainment	22	199,741	16.1	(9.8, 25.3)	16	120,843	10.9	(5.9, 19.4)	12	91,649	14.2	(6.8, 27.4)
	Spa or salon	<b>6</b>	<b>60,574</b>	<b>4.9</b>	<b>(1.7, 13.2)</b>			--				--	
	Other			--				--				--	
None	41	308,439	24.9	(17.6, 33.9)	39	204,174	18.4	(13.2, 25.2)	<b>13</b>	<b>103,719</b>	<b>16.0</b>	<b>(8.0, 29.5)</b>	

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 68. Patterns of Gambling Activities with Non-gambling Activities in Encore Boston Harbor**

Gambling activity	Non gambling activities in Encore Boston Harbor	Did not participate in gambling activity				Did participate in gambling activity			
		UN <sup>1</sup>	N <sup>2</sup>	% <sup>2</sup>	95% CI <sup>2</sup>	UN <sup>1</sup>	N <sup>2</sup>	% <sup>2</sup>	95% CI <sup>2</sup>
DID NOT GAMBLE		387	2,667,177	89.2	(85.2, 92.2)	45	322,968	10.8	(7.8, 14.8)
	Food or beverage	262	1,816,622	68.3	(62.2, 73.8)	28	212,099	67.8	(50.9, 81.1)
	Hotel	62	496,729	18.7	(13.9, 24.6)			--	
	Shopping	48	445,225	16.7	(11.9, 23.0)			--	
	Waterfront related activities	22	204,492	7.7	(4.5, 12.8)			--	
	Entertainment	45	379,584	14.3	(10.0, 20.0)			--	
	Spa or salon	<b>11</b>	<b>73,588</b>	<b>2.8</b>	<b>(1.2, 6.3)</b>			--	
	Other	<b>9</b>	<b>46,525</b>	<b>1.8</b>	<b>(0.8, 3.6)</b>			--	
	None	84	563,637	21.2	(16.6, 26.6)	<b>8</b>	<b>48,105</b>	<b>15.4</b>	<b>(6.7, 31.6)</b>
SLOTS		138	1,115,837	37.3	(31.7, 43.3)	294	1,874,309	62.7	(56.6, 68.3)
	Food or beverage	88	681,032	61.6	(51.0, 71.2)	202	1,347,688	72.2	(65.7, 77.8)
	Hotel	19	163,259	14.8	(8.3, 24.8)	48	369,089	19.8	(14.3, 26.7)
	Shopping	16	179,193	16.2	(9.2, 27.1)	36	301,209	16.1	(10.9, 23.3)
	Waterfront related activities	<b>10</b>	<b>79,738</b>	<b>7.2</b>	<b>(3.1, 16.0)</b>	<b>14</b>	<b>131,332</b>	<b>7.0</b>	<b>(3.7, 13.1)</b>
	Entertainment	26	231,896	21.0	(13.5, 31.1)	24	180,337	9.7	(5.7, 16.0)
	Spa or salon			--		<b>11</b>	<b>73,588</b>	<b>3.9</b>	<b>(1.7, 8.9)</b>
	Other			--		<b>7</b>	<b>39,088</b>	<b>2.1</b>	<b>(0.9, 4.7)</b>
	None	28	259,232	23.4	(15.5, 33.8)	64	352,510	18.9	(14.4, 24.4)
TABLE GAMES		295	1,863,378	62.3	(56.2, 68.1)	137	1,126,767	37.7	(31.9, 43.8)
	Food or beverage	200	1,311,614	71.0	(64.5, 76.8)	90	717,106	63.6	(53.0, 73.1)
	Hotel	43	298,136	16.2	(11.4, 22.3)	24	234,213	20.8	(12.9, 31.8)
	Shopping	32	266,668	14.4	(9.6, 21.1)	20	213,734	19.0	(11.1, 30.4)
	Waterfront related activities	<b>15</b>	<b>109,387</b>	<b>5.9</b>	<b>(3.2, 10.8)</b>	<b>9</b>	<b>101,683</b>	<b>9.0</b>	<b>(3.9, 19.6)</b>
	Entertainment	22	122,383	6.6	(4.1, 10.6)	28	289,850	25.7	(17.0, 37.0)
	Spa or salon	<b>9</b>	<b>47,506</b>	<b>2.6</b>	<b>(1.2, 5.6)</b>			--	
	Other	<b>7</b>	<b>42,807</b>	<b>2.3</b>	<b>(0.9, 5.8)</b>			--	
	None	61	335,568	18.2	(13.7, 23.7)	31	276,174	24.5	(16.5, 34.8)
LOTTERY		411	2,832,474	94.7	(91.0, 96.9)	21	157,672	5.3	(3.0, 8.9)
	Food or beverage	274	1,902,242	67.6	(61.7, 73.0)	16	126,479	80.2	(56.7, 92.6)
	Hotel	59	448,753	15.9	(11.8, 21.2)	8	83,596	53.0	(27.6, 76.9)
	Shopping	48	440,925	15.7	(11.2, 21.4)			--	
	Waterfront related activities	22	200,616	7.1	(4.2, 11.9)			--	
	Entertainment	47	372,393	13.2	(9.3, 18.4)			--	
	Spa or salon	<b>11</b>	<b>58,360</b>	<b>2.1</b>	<b>(1.0, 4.1)</b>			--	
	Other	<b>11</b>	<b>65,495</b>	<b>2.3</b>	<b>(1.1, 4.7)</b>			0	
	None	89	591,003	21.0	(16.6, 26.2)			--	

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 69. Non-gambling Activities Participated Off-site by Day of Data collection**

		Monday				Saturday				Combined			
		N <sup>1</sup>	Weighted			N <sup>1</sup>	Weighted			N <sup>1</sup>	Weighted		
			N <sup>2</sup>	%	95% CI		N <sup>2</sup>	%	95% CI		N <sup>2</sup>	%	95% CI
Non-gambling activity off-site (Check all that apply)	Attended an event, show, exhibit	38	504,296	33.2	(24.3, 43.5)	87	454,080	34.1	(27.8, 41.0)	125	958,376	33.6	(27.9, 39.9)
	...Boston Duck Boats	9	110,266	7.3	(3.2, 15.6)	20	112,768	8.5	(5.1, 13.6)	29	223,035	7.8	(4.9, 12.3)
	...USS Constitution			--		<b>8</b>	<b>34,849</b>	<b>2.6</b>	<b>(1.3, 5.4)</b>	<b>11</b>	<b>60,858</b>	<b>2.1</b>	<b>(1.0, 4.3)</b>
	...New England Aquarium	6	<b>91,458</b>	<b>6.0</b>	<b>(2.5, 13.7)</b>	21	119,968	9.0	(5.4, 14.7)	27	211,426	7.4	(4.6, 11.7)
	...TD Gardens	14	171,100	11.3	(6.2, 19.6)	32	177,310	13.3	(9.2, 19.0)	46	348,410	12.2	(8.6, 17.0)
	...Museum of Science	<b>8</b>	<b>90,518</b>	<b>6.0</b>	<b>(2.8, 12.3)</b>	17	84,039	6.3	(3.5, 11.1)	25	174,557	6.1	(3.8, 9.8)
	...Some other Boston location	<b>9</b>	<b>89,287</b>	<b>5.9</b>	<b>(2.6, 12.6)</b>	28	151,481	11.4	(7.6, 16.7)	37	240,768	8.4	(5.7, 12.3)
	Went to live entertainment show concert or performance	6	<b>75,419</b>	<b>5.0</b>	<b>(2.0, 12.0)</b>	<b>11</b>	<b>60,646</b>	<b>4.6</b>	<b>(2.1, 9.5)</b>	<b>17</b>	<b>136,065</b>	<b>4.8</b>	<b>(2.6, 8.7)</b>
	Bought food or beverage in a restaurant, cafe or other food outlet	25	301,176	19.8	(13.1, 28.9)	52	296,337	22.2	(16.6, 29.2)	77	597,514	21.0	(16.3, 26.6)
	Visited a local bar, pub, or nightclub	<b>10</b>	<b>109,110</b>	<b>7.2</b>	<b>(3.4, 14.4)</b>	41	213,843	16.1	(11.8, 21.4)	51	322,953	11.3	(8.2, 15.4)
	Retail shopping, like downtown shop or mall	16	156,749	10.3	(6.0, 17.2)	21	122,133	9.2	(5.5, 15.0)	37	278,882	9.8	(6.7, 14.0)
	Stayed at hotel outside the casino			--		21	126,305	9.5	(5.7, 15.3)	23	149,411	5.2	(3.2, 8.5)
	Took public transportation around the city			--		<b>8</b>	<b>61,703</b>	<b>4.6</b>	<b>(1.9, 10.6)</b>	<b>10</b>	<b>87,242</b>	<b>3.1</b>	<b>(1.4, 6.4)</b>
	Bought fuel or other goods at a gas station	<b>11</b>	<b>104,990</b>	<b>6.9</b>	<b>(3.6, 12.7)</b>	23	132,293	9.9	(6.1, 15.7)	34	237,283	8.3	(5.6, 12.2)
	Spent money on other entertainment (amusement park, golf course, movie theater)	<b>9</b>	<b>98,895</b>	<b>6.5</b>	<b>(3.2, 12.8)</b>	16	87,636	6.6	(4.0, 10.8)	25	186,531	6.5	(4.2, 10.1)
	Nothing	46	455,687	30.0	(22.3, 39.0)	92	385,884	29.0	(23.5, 35.1)	138	841,572	29.5	(24.6, 35.0)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 70. Non-gambling Activities Off-site by Geographic Origin**

	Host and surrounding community				Other municipalities in MA				Outside of MA or unknown			
	N <sup>1</sup>	N <sup>2</sup>	Weighted		N <sup>1</sup>	N <sup>2</sup>	Weighted		N <sup>1</sup>	N <sup>2</sup>	Weighted	
			%	95% CI			%	95% CI			%	95% CI
Attended an event, show, exhibit	53	451,990	38.8	(29.2, 49.2)	40	272,094	25.4	(17.9, 34.7)	32	234,292	38.3	(26.3, 51.8)
Went to live entertainment show concert or performance	<b>8</b>	<b>70,970</b>	<b>6.1</b>	<b>(2.4, 14.3)</b>	<b>7</b>	<b>60,914</b>	<b>5.7</b>	<b>(2.4, 13.0)</b>			--	
Bought food or beverage in a restaurant, cafe or other food outlet	29	234,405	20.1	(13.0, 29.7)	26	199,024	18.6	(12.2, 27.1)	22	164,085	26.8	(16.4, 40.6)
Visited a local bar, pub, or nightclub	15	83,566	7.2	(4.1, 12.3)	18	108,302	10.1	(6.0, 16.5)	18	131,084	21.4	(12.4, 34.4)
Retail shopping, like downtown shop or mall	17	129,179	11.1	(6.4, 18.6)	<b>11</b>	<b>82,593</b>	<b>7.7</b>	<b>(3.7, 15.2)</b>	<b>9</b>	<b>67,110</b>	<b>11.0</b>	<b>(5.2, 21.8)</b>
Stayed at hotel outside the casino	<b>7</b>	<b>60,871</b>	<b>5.2</b>	<b>(2.1, 12.2)</b>			--		<b>13</b>	<b>76,479</b>	<b>12.5</b>	<b>(6.5, 22.6)</b>
Took public transportation around the city			--				--				--	
Bought fuel or other goods at a gas station	17	114,663	9.8	(5.6, 16.7)	<b>8</b>	<b>51,009</b>	4.8	(2.3, 9.7)	<b>9</b>	<b>71,611</b>	11.7	(5.3, 23.7)
Spent money on other entertainment (amusement park, golf course, movie theater)	<b>12</b>	<b>81,104</b>	<b>7.0</b>	<b>(3.6, 12.9)</b>	<b>9</b>	<b>64,137</b>	<b>6.0</b>	<b>(2.9, 12.1)</b>			--	
Nothing	45	291,732	25.0	(17.9, 33.8)	69	424,472	39.6	(31.0, 48.8)	24	125,367	20.5	(12.8, 31.0)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year

Note: A dash indicates that the cell size is less than 6

Note: Italics indicates estimates are unreliable, relative standard error >30%

**Table 71. Patterns of Gambling Activities with Non-gambling Activities Off-site**

Gambling activity	Non gambling activities off-site	Did not participate in activity				Did participate in activity			
		UN <sup>1</sup>	N <sup>2</sup>	% <sup>2</sup>	95% CI <sup>2</sup>	UN <sup>1</sup>	N <sup>2</sup>	% <sup>2</sup>	95% CI <sup>2</sup>
<b>DID NOT GAMBLE</b>		387	2,667,177	89.2	(85.2, 92.2)	45	322,968	10.8	(7.8, 14.8)
	Attended an event, show, exhibit	112	875,452	34.2	(28.1, 41.0)	12	78,335	27.8	(15.3, 45.0)
	Went to live entertainment show concert or performance	<b>17</b>	<b>136,065</b>	<b>5.3</b>	<b>(2.9, 9.6)</b>			--	
	Bought food or beverage in a restaurant, cafe or other food outlet	69	528,956	20.7	(15.8, 26.6)	<b>8</b>	<b>68,558</b>	<b>24.3</b>	<b>(11.5, 44.2)</b>
	Visited a local bar, pub, or nightclub	45	288,775	11.3	(8.0, 15.7)			--	
	Retail shopping, like downtown shop or mall	33	250,898	9.8	(6.6, 14.4)			--	
	Stayed at hotel outside the casino	21	135,434	5.3	(3.1, 8.9)			--	
	Took public transportation around city	<b>9</b>	<b>83,524</b>	<b>3.3</b>	<b>(1.5, 7.0)</b>			--	
	Bought fuel or other goods at a gas station	33	230,913	9.0	(6.1, 13.2)			--	
	Spent money on other entertainment (amusement park, golf course, movie theater)	23	165,810	6.5	(4.1, 10.2)			--	
	Nothing	128	771,184	30.2	(24.9, 36.0)	<b>10</b>	<b>70,388</b>	<b>25.0</b>	<b>(12.4, 43.9)</b>
<b>SLOTS</b>		138	1,115,837	37.3	(31.7, 43.3)	294	1,874,309	62.7	(56.6, 68.3)
	Attended an event, show, exhibit	41	351,115	34.0	(24.2, 45.3)	83	602,671	33.4	(26.6, 41.0)
	Went to live entertainment show concert or performance	<b>6</b>	<b>72,738</b>	<b>7.0</b>	<b>(2.7, 17.2)</b>	<b>11</b>	<b>63,327</b>	<b>3.5</b>	<b>(1.7, 7.1)</b>
	Bought food or beverage in a restaurant, cafe or other food outlet	22	231,065	22.4	(14.2, 33.3)	55	366,449	20.3	(14.9, 27.0)
	Visited a local bar, pub, or nightclub	19	131,523	12.7	(7.4, 20.9)	31	184,732	10.2	(6.8, 15.1)
	Retail shopping, like downtown shop or mall	<b>11</b>	<b>85,687</b>	<b>8.3</b>	<b>(4.2, 15.5)</b>	26	193,195	10.7	(6.8, 16.5)
	Stayed at hotel outside the casino	<b>9</b>	<b>61,744</b>	<b>6.0</b>	<b>(2.7, 12.5)</b>	<b>14</b>	<b>87,667</b>	<b>4.8</b>	<b>(2.5, 9.2)</b>
	Took public transportation around city			--		<b>6</b>	<b>55,389</b>	<b>3.1</b>	<b>(1.2, 7.8)</b>
	Bought fuel or other goods at a gas station	<b>8</b>	<b>61,977</b>	<b>6.0</b>	<b>(2.7, 12.8)</b>	26	175,306	9.7	(6.2, 14.9)
	Spent money on other entertainment (amusement park, golf course, movie theater)	<b>10</b>	<b>73,611</b>	<b>7.1</b>	<b>(3.6, 13.5)</b>	15	112,920	6.2	(3.4, 11.0)
	Nothing	36	283,508	27.4	(19.0, 37.8)	102	558,064	30.9	(25.0, 37.5)
<b>TABLE GAMES</b>		295	1,863,378	62.3	(56.2, 68.1)	137	1,126,767	37.7	(31.9, 43.8)
	Attended an event, show, exhibit	83	565,352	32.1	(25.6, 39.4)	41	388,435	36.0	(25.8, 47.6)
	Went to live entertainment show concert or performance	<b>7</b>	<b>39,863</b>	<b>2.3</b>	<b>(0.8, 5.8)</b>	<b>10</b>	<b>96,202</b>	<b>8.9</b>	<b>(4.1, 18.2)</b>
	Bought food or beverage in a restaurant, cafe or other food outlet	54	362,508	20.6	(15.2, 27.3)	23	235,005	21.8	(13.8, 32.6)

Gambling activity	Non gambling activities off-site	Did not participate in activity				Did participate in activity			
		UN <sup>1</sup>	N <sup>2</sup>	% <sup>2</sup>	95% CI <sup>2</sup>	UN <sup>1</sup>	N <sup>2</sup>	% <sup>2</sup>	95% CI <sup>2</sup>
	Visited a local bar, pub, or nightclub	28	169,233	9.6	(6.2, 14.5)	22	147,022	13.6	(8.2, 21.7)
	Retail shopping, like downtown shop or mall	26	193,432	11.0	(7.0, 16.8)	<b>11</b>	<b>85,450</b>	<b>7.9</b>	<b>(3.9, 15.4)</b>
	Stayed at hotel outside the casino	<b>14</b>	<b>77,878</b>	<b>4.4</b>	<b>(2.4, 8.1)</b>	<b>9</b>	<b>71,533</b>	<b>6.6</b>	<b>(3.0, 14.1)</b>
	Took public transportation around city			--				--	
	Bought fuel or other goods at a gas station	22	149,232	8.5	(5.3, 13.3)	<b>12</b>	<b>88,051</b>	<b>8.2</b>	<b>(4.1, 15.6)</b>
	Spent money on other entertainment (amusement park, golf course, movie theater)	15	124,842	7.1	(4.0, 12.3)	<b>10</b>	<b>61,689</b>	<b>5.7</b>	<b>(2.9, 11.0)</b>
	Nothing	98	557,450	31.7	(25.6, 38.4)	40	284,122	26.3	(18.3, 36.2)
LOTTERY		411	2,832,474	94.7	(91.0, 96.9)	21	157,672	5.3	(3.0, 8.9)
	Attended an event, show, exhibit	115	876,886	32.6	(26.8, 39.0)	9	76,900	50.3	(24.5, 75.9)
	Went to live entertainment show concert or performance	<b>15</b>	<b>124,973</b>	<b>4.6</b>	<b>(2.4, 8.8)</b>			--	
	Bought food or beverage in a restaurant, cafe or other food outlet	73	569,454	21.2	(16.3, 27.1)			--	
	Visited a local bar, pub, or nightclub	45	274,154	10.2	(7.2, 14.2)			--	
	Retail shopping, like downtown shop or mall	37	278,882	10.4	(7.1, 14.9)			--	
	Stayed at hotel outside the casino	21	137,694	5.1	(3.0, 8.6)			--	
	Took public transportation around city	<b>10</b>	<b>87,242</b>	<b>3.2</b>	<b>(1.5, 6.8)</b>			--	
	Bought fuel or other goods at a gas station	29	190,386	7.1	(4.6, 10.7)			--	
	Spent money on other entertainment (amusement park, golf course, movie theater)	23	157,694	5.9	(3.7, 9.2)			--	
	Nothing	132	818,089	30.4	(25.3, 36.2)	<b>6</b>	<b>23,483</b>	<b>15.4</b>	<b>(5.2, 37.3)</b>

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 72. Non-gambling Activities Off-site by Did Encore Boston Harbor Prompt Visit to Town, among Massachusetts Patrons**

	EBH did not prompt visit to town				EBH did prompt visit to town			
	N <sup>1</sup>	N <sup>2</sup>	Weighted		N <sup>1</sup>	N <sup>2</sup>	Weighted	
			%	95% CI			%	95% CI
Attended an event, show, exhibit	29	221,907	33.7	(22.1, 47.7)	63	497,268	31.9	(24.5, 40.3)
Went to live entertainment show concert or performance	4	<i>41,395</i>	<i>6.3</i>	<i>(1.8, 20.0)</i>	<i>11</i>	<i>90,489</i>	<i>5.8</i>	<i>(2.8, 11.6)</i>
Bought food or beverage in a restaurant, cafe or other	16	128,366	19.5	(11.1, 32.0)	39	305,062	19.6	(13.7, 27.2)
Visited a local bar, pub, or nightclub	8	<i>45,425</i>	<i>6.9</i>	<i>(3.4, 13.6)</i>	25	146,444	9.4	(6.0, 14.4)
Retail shopping, like downtown shop or mall	7	<i>60,099</i>	<i>9.1</i>	<i>(4.0, 19.6)</i>	21	151,673	9.7	(5.8, 15.9)
Stayed at hotel outside the casino	4	<i>33,455</i>	<i>5.1</i>	<i>(1.6, 15.3)</i>	6	<i>39,477</i>	<i>2.5</i>	<i>(0.9, 6.9)</i>
Took public transportation around city	2	<i>25,540</i>	<i>3.9</i>	<i>(0.9, 15.3)</i>	5	<i>34,439</i>	<i>2.2</i>	<i>(0.7, 6.7)</i>
Bought fuel or other goods at a gas station	5	<i>38,391</i>	<i>5.8</i>	<i>(2.2, 14.3)</i>	20	127,282	8.2	(4.9, 13.3)
Spent money on other entertainment (amusement park, golf course, movie theater)	8	<i>53,645</i>	<i>8.2</i>	<i>(3.7, 16.9)</i>	<i>13</i>	<i>91,595</i>	<i>5.9</i>	<i>(3.2, 10.7)</i>
Nothing	27	159,787	24.3	(15.7, 35.6)	86	546,246	35.0	(27.9, 42.9)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.



**Table 73. Non-gambling Activities Off-site by Did Encore Boston Harbor Prompt Visit to Town, among Patrons from outside Massachusetts**

	EBH did not prompt visit to town				EBH did prompt visit to town			
	N <sup>1</sup>	N <sup>2</sup>	Weighted		N <sup>1</sup>	N <sup>2</sup>	Weighted	
			%	95% CI			%	95% CI
Attended an event, show, exhibit	17	105,733	38.3	(22.0, 57.8)	15	128,559	38.2	(22.3, 57.1)
Went to live entertainment show concert or performance	0	0	0.0	( , )	2	<i>4,181</i>	<i>1.2</i>	<i>(0.3, 5.0)</i>
Bought food or beverage in a restaurant, cafe or other	14	104,583	37.9	(20.8, 58.7)	8	<i>59,502</i>	<i>17.7</i>	<i>(8.0, 34.8)</i>
Visited a local bar, pub, or nightclub	11	<i>82,626</i>	<i>29.9</i>	<i>(15.1, 50.7)</i>	7	<i>48,458</i>	<i>14.4</i>	<i>(5.9, 31.2)</i>
Retail shopping, like downtown shop or mall	6	<i>39,847</i>	<i>14.4</i>	<i>(6.0, 30.8)</i>	3	<i>27,263</i>	<i>8.1</i>	<i>(2.0, 27.2)</i>
Stayed at hotel outside the casino	7	<i>37,626</i>	<i>13.6</i>	<i>(6.2, 27.5)</i>	6	<i>38,853</i>	<i>11.6</i>	<i>(4.1, 28.6)</i>
Took public transportation around city	0	0	0.0	( , )	3	<i>27,263</i>	<i>8.1</i>	<i>(2.0, 27.2)</i>
Bought fuel or other goods at a gas station	3	<i>16,061</i>	<i>5.8</i>	<i>(1.8, 17.4)</i>	6	<i>55,550</i>	<i>16.5</i>	<i>(6.4, 36.2)</i>
Spent money on other entertainment (amusement park, golf course, movie theater)	1	<i>6,171</i>	<i>2.2</i>	<i>(0.3, 14.5)</i>	3	<i>35,119</i>	<i>10.4</i>	<i>(3.1, 29.9)</i>
Nothing	5	<i>19,277</i>	<i>7.0</i>	<i>(2.5, 17.9)</i>	19	106,091	31.5	(18.7, 48.0)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 74 COVID-19 Pandemic Impacts on Gambling by day of collection**

		Monday				Saturday				Combined			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
Has the COVID-19 pandemic increased the amount of online gambling you have done?	1=No	123	1,309,096	84.9	(76.2, 90.8)	237	1,123,711	84.1	(78.2, 88.6)	360	2,432,807	84.5	(79.4, 88.5)
	2=Yes	20	232,977	15.1	(9.2, 23.8)	38	213,074	15.9	(11.4, 21.8)	58	446,051	15.5	(11.5, 20.6)
What impact, if any, has the COVID-19 pandemic had on your overall gambling behavior?	It has had no impact on my gambling	82	873,686	59.8	(49.9, 68.9)	176	833,611	63.1	(56.2, 69.5)	258	1,707,296	61.4	(55.2, 67.1)
	Overall I have gambled less	33	334,081	22.8	(16.0, 31.6)	64	285,575	21.6	(16.6, 27.6)	97	619,657	22.3	(17.8, 27.5)
	Overall I have gambled more	20	254,435	17.4	(10.8, 26.8)	33	201,180	15.2	(10.7, 21.3)	53	455,614	16.4	(12.1, 21.8)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 75. COVID-19 Pandemic Impacts on Gambling by geographic origin**

		Host and surrounding community				Other municipalities in MA				Outside of MA or unknown			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
Has the COVID-19 pandemic increased the amount of online gambling you have done?	1=No	141	1,021,400	85.2	(76.6, 91.1)	144	907,872	84.6	(76.0, 90.5)	75	503,535	82.9	(70.0, 90.9)
	2=Yes	22	176,749	14.8	(8.9, 23.4)	22	165,198	15.4	(9.5, 24.0)	<b>14</b>	<b>104,104</b>	<b>17.1</b>	<b>(9.1, 29.9)</b>
What impact, if any, has the COVID-19 pandemic had on your overall gambling behavior?	It has had no impact on my gambling	101	718,693	62.1	(52.1, 71.1)	98	608,429	56.8	(47.4, 65.7)	59	380,174	68.7	(54.7, 80.0)
	Overall I have gambled less	36	225,548	19.5	(13.3, 27.6)	44	297,355	27.8	(20.0, 37.1)	17	96,755	17.5	(10.0, 28.7)
	Overall I have gambled more	23	213,860	18.5	(11.5, 28.3)	23	165,534	15.4	(9.9, 23.3)	<b>7</b>	<b>76,220</b>	<b>13.8</b>	<b>(5.9, 28.8)</b>

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

## Appendix J: Expenditures

Analysis of expenditures and economic modeling were based on data collected from the following:

- What specific gambling activities they engaged in during their visit to Encore Boston Harbor and their net gambling expenditure on these activities during their visit (questions 15 and 16)
- What non-gambling activities they spent money on within Encore Boston Harbor (e.g., food, shopping, entertainment) and their total spending on these things during their visit (questions 12 and 13)
- What other things they spent money on during their trip to the local area outside of the casino itself (e.g., hotel, shopping, restaurants), and how much in total they spent on these things (questions 20 and 21)
- If there was not a casino in Massachusetts, whether they would have spent the money they spent on gambling in another state, and if so, which state (questions 22 and 23)
- Due to casinos in Massachusetts, spending less in other areas (question 24)
- Due to casinos in Massachusetts, MA lottery spending changed (question 25)
- For Massachusetts residents, main reason for visiting Springfield (used with expenditure information for economic modeling) (question 5)
- For non-Massachusetts residents, main reason for visiting Massachusetts (used with expenditure information for economic modeling) (question 6)

**Table 76. Self-reported Expenditures at Encore Boston Harbor by Day of Collection and Residency**

		Mondays					Saturdays					Combined					
		Unweighted N	Weighted N	Average (95% C.I.)	Median	Total (95% C.I.)	Unweighted N	Weighted N	Average (95% C.I.)	Median	Total (95% C.I.)	Unweighted N	Weighted N	Average (95% C.I.)	Median	Total (95% C.I.)	% of Total
MA Patrons	Gambling	104	1,115,136	276.4 (170.0, 382.7)	175.2	308,172,009 (172,113,028, 444,230,991)	176	835,072	340.6 (216.0, 465.2)	108.3	284,409,167 (171,902,842, 396,915,491)	280	1,950,208	303.9 (222.9, 384.8)	134.4	592,581,176 (420,931,383, 764,230,969)	79.0%
	Non-Gambling at Encore Boston Harbor	87	982,386	231.0 (97.4, 364.7)	48.3	226,954,966 (85,438,967, 368,470,964)	156	763,304	288.4 (158.4, 418.5)	59.3	220,161,008 (116,255,643, 324,066,373)	243	1,745,690	256.1 (161.8, 350.4)	51.0	447,115,973 (274,253,713, 619,978,233)	79.7%
	Non-Gambling outside Encore Boston Harbor	63	719,641	293.0 (131.1, 454.9)	81.0	210,862,867 (77,183,386, 344,542,349)	123	639,288	324.8 (184.2, 465.4)	106.9	207,649,698 (106,549,589, 308,749,806)	186	1,358,930	308.0 (199.7, 416.3)	95.1	418,512,565 (253,603,123, 583,422,008)	82.1%
Non-MA Patrons	Gambling	15	192,874	208.4 (15.7, 401.1)	62.8	40,195,668 (363,002, 80,754,337)	56	284,770	410.6 (200.1, 621.2)	205.2	116,934,561 (45,478,183, 188,390,939)	71	477,643	329.0 (174.6, 483.4)	132.9	157,130,228 (75,509,194, 238,751,263)	21.0%
	Non-Gambling at Encore Boston Harbor	15	171,389	96.4 (19.3, 173.5)	34.6	16,516,259 (36,486, 32,996,033)	59	301,513	322.0 (103.9, 540.1)	94.9	97,084,794 (24,342,489, 169,827,098)	74	472,902	240.2 (93.7, 386.8)	73.1	113,601,053 (39,220,441, 187,981,665)	20.3%
	Non-Gambling outside Encore Boston Harbor	18	217,968	234.8 (123.8, 345.7)	99.9	51,174,047 (12,670,398, 89,677,697)	41	213,748	187.3 (117.5, 257.1)	79.8	40,035,634 (21,868,698, 58,202,569)	59	431,716	211.3 (143.9, 278.7)	91.1	91,209,681 (49,102,493, 133,316,869)	17.9%
All Patrons	Gambling	119	1,308,009	266.3 (170.9, 361.8)	135.7	348,367,677 (207,257,834, 489,477,520)	232	1,119,842	358.4 (250.9, 465.9)	122.9	401,343,727 (270,487,421, 532,200,034)	351	2,427,851	308.8 (237.1, 380.5)	130.7	749,711,404 (564,825,759, 934,597,050)	100.0%
	Non-Gambling at Encore Boston Harbor	102	1,153,775	211.0 (96.1, 325.9)	47.4	243,471,225 (101,265,520, 385,676,930)	215	1,064,817	297.9 (186.0, 409.9)	81.3	317,245,801 (191,986,391, 442,505,211)	317	2,218,592	252.7 (172.2, 333.3)	53.2	560,717,026 (375,207,028, 746,227,024)	100.0%
	Non-Gambling outside Encore Boston Harbor	81	937,609	279.5 (152.4, 406.6)	86.9	262,036,915 (123,694,721, 400,379,108)	164	853,036	290.4 (182.2, 398.5)	97.4	247,685,332 (145,781,183, 349,589,481)	245	1,790,645	284.7 (200.5, 368.8)	95.2	509,722,246 (341,920,120, 677,524,373)	100.0%

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 77. Self-reported Expenditures at Encore Boston Harbor by Race/Ethnicity**

		Unweighted N	Weighted N	Average (95% C.I.)	Median	Total (95% C.I.)	% of Total
Hispanic	Gambling	30	169,357	<b>279.5</b> <i>(81.3, 477.7)</i>	142.7 (60.0, 225.3)	47,336,573 (11,939,644, 82,733,502)	6.9%
	Non-Gambling at Encore Boston Harbor	26	147,361	<b>297.3</b> <i>(89.8, 504.9)</i>	90.2 (28.8, 151.6)	43,815,999 (11,902,965, 75,729,034)	8.1%
	Non-Gambling outside Encore Boston Harbor	27	148,930	<b>382.0</b> <i>(88.5, 675.6)</i>	160.2 (45.9, 274.6)	56,897,247 (8,613,692, 105,180,801)	11.9%
White alone	Gambling	215	1,276,676	255.9 (196.8, 315.0)	146.3 (91.7, 200.8)	326,690,443 (243,161,366, 410,219,520)	47.9%
	Non-Gambling at Encore Boston Harbor	190	1,164,476	199.9 (116.6, 283.1)	49.8 (30.7, 68.9)	232,764,046 (131,510,447, 334,017,646)	42.8%
	Non-Gambling outside Encore Boston Harbor	135	860,384	180.2 (139.4, 221.0)	89.2 (70.1, 108.4)	155,058,546 (113,195,711, 196,921,381)	32.5%
Black alone	Gambling	39	217,428	<b>278.1</b> <i>(62.1, 494.0)</i>	109.3 (35.0, 183.6)	60,466,640 (9,574,285, 111,358,995)	8.9%
	Non-Gambling at Encore Boston Harbor	32	179,820	<b>442.0</b> <i>(37.9, 846.1)</i>	75.5 (30.4, 120.5)	79,481,307 (4,022,220, 154,940,395)	14.6%
	Non-Gambling outside Encore Boston Harbor	29	155,524	<b>284.0</b> <i>(44.3, 523.7)</i>	80.3 (43.5, 117.1)	44,168,696 (4,132,132, 84,205,260)	9.2%
Asian alone	Gambling	38	594,102	360.6 (145.8, 575.4)	117.5 (32.8, 267.7)	214,238,118 (70,063,179, 358,413,057)	31.4%
	Non-Gambling at Encore Boston Harbor	38	553,525	<b>314.6</b> <i>(87.1, 542.1)</i>	42.0 (-10.6, 94.5)	174,142,587 (35,768,160, 312,517,013)	32.0%
	Non-Gambling outside Encore Boston Harbor	32	503,089	<b>378.8</b> <i>(139.7, 617.9)</i>	98.8 (51.3, 146.3)	190,563,453 (45,696,206, 335,430,700)	39.9%

Italics indicates estimates are unreliable, relative standard error > 30%

**Table 78. Self-reported Gambling Expenditures at Encore Boston Harbor by Gambling Behavior**

	Unweighted N	Weighted N	Average (95% C.I.)	Median	Total (95% C.I.)
Slots	211	1,289,870	281.2 (188.6, 373.8)	<i>181.9</i>	362,709,876 (235,647,864, 489,771,888)
Table Games	81	715,008	302.5 (201.9, 403.1)	<i>271.0</i>	216,280,175 (131,204,171, 301,356,179)
Slots and Table games	39	270,095	527.0 (181.2, 872.9)	<i>111.9</i>	142,349,421 (23,786,412, 260,912,431)

Italics indicates estimates are unreliable, relative standard error > 30%

**Table 79. Encore Boston Harbor Revenue**

WYNN RESORTS, LIMITED AND SUBSIDIARIES SUPPLEMENTAL DATA SCHEDULE (dollars in thousands, except for win per unit per day, ADR, and REVPAR) (unaudited) (continued)				
	Three Months Ended March 31,			
	2022	2021		
<b>Encore Boston Harbor Supplemental Information</b>				
Operating revenues				
Casino	\$ 148,748	\$ 111,479		33.4
Rooms	15,689	4,715		232.7
Food and beverage	18,162	9,327		94.7
Entertainment, retail and other	8,197	4,569		79.4
<b>Total</b>	<b>\$ 190,796</b>	<b>\$ 130,090</b>		<b>46.7</b>
<b>Adjusted Property EBITDA (6)</b>	<b>\$ 55,250</b>	<b>\$ 30,363</b>		<b>82.0</b>
Casino Statistics:				
Average number of table games	184	199		(7.5)
Table drop (2)	\$ 346,195	\$ 234,562		47.6
Table games win (1)	\$ 76,792	\$ 49,377		55.5
Table games win %	22.2%	21.1%		
Table games win per unit per day	\$ 4,637	\$ 2,752		68.5
Average number of slot machines	2,776	1,889		47.0
Slot machine handle	\$ 1,183,314	\$ 913,795		29.5
Slot machine win (3)	\$ 95,296	\$ 74,820		27.4
Slot machine win per unit per day	\$ 381	\$ 440		(13.4)
Poker rake	\$ 784	\$ —		—
Room statistics:				
Occupancy	80.5%	71.0%		
ADR (4)	\$ 324	\$ 276		17.4
REVPAR (5)	\$ 261	\$ 196		33.2
Note: The results of Encore Boston Harbor for the three months ended March 31, 2021 were impacted by certain COVID-19 pandemic related protective measures and operating schedule modifications. Encore Boston Harbor's room statistics have been computed based on 36 days of operations for the three months ended March 31, 2021, representing the actual number of days the hotel was open.				
(1) Table games win is shown before discounts, commissions and the allocation of casino revenues to rooms, food and beverage and other revenues for services provided to casino customers on a complimentary basis.				
(2) In Macau, table drop is the amount of cash that is deposited in a gaming table's drop box plus cash chips purchased at the casino cage. In Las Vegas, table drop is the amount of cash and net markers issued that are deposited in a gaming table's drop box. At Encore Boston Harbor, table drop is the amount of cash and gross markers that are deposited in a gaming table's drop box.				
(3) Slot machine win is calculated as gross slot machine win minus progressive accruals and free play.				
(4) ADR is average daily rate and is calculated by dividing total room revenues including complimentary (less service charges, if any) by total rooms occupied.				
(5) REVPAR is revenue per available room and is calculated by dividing total room revenues including complimentary (less service charges, if any) by total rooms available.				
(6) Refer to accompanying reconciliations of Operating Income (Loss) to Adjusted Property EBITDA and Net Loss Attributable to Wynn Resorts, Limited to Adjusted Property EBITDA.				
View source version on businesswire.com: <a href="https://www.businesswire.com/news/home/20220510005055/en/">https://www.businesswire.com/news/home/20220510005055/en/</a>				



**Table 80. Would Have Spent Money Gambling in Another State by day of collection**

		Mondays				Saturdays				Combined			
		N <sup>1</sup>	Weighted			N <sup>1</sup>	Weighted			N <sup>1</sup>	Weighted		
			N <sup>2</sup>	%	95% CI		N <sup>2</sup>	%	95% CI		N <sup>2</sup>	%	95% CI
If there wasn't a casino in MA, would you have chosen to spend money you spent here today on gambling in another state?	Yes	85	851,681	58.6	(48.7, 67.9)	128	584,958	49.4	(42.4, 56.5)	213	1,436,639	54.5	(48.2, 60.6)
Where would you have to choose to spend money on gambling? (Check all that apply)	Connecticut	68	695,637	83.9	(72.7, 91.0)	83	360,288	63.0	(52.5, 72.4)	151	1,055,925	75.4	(67.7, 81.7)
	Rhode Island	42	460,277	55.5	(42.9, 67.4)	50	217,609	38.0	(28.5, 48.6)	92	677,885	48.4	(39.9, 57.0)
	New Jersey	<b>10</b>	<b>126,016</b>	<b>15.2</b>	<b>(7.8, 27.5)</b>	<b>9</b>	<b>39,897</b>	<b>7.0</b>	<b>(3.5, 13.4)</b>	19	165,914	11.8	(7.0, 19.4)
	New York	12	199,354	24.0	(13.9, 38.3)	13	82,885	14.5	(8.0, 24.9)	25	282,238	20.1	(13.2, 29.5)
	Pennsylvania			--				--		<b>10</b>	<b>106,914</b>	<b>7.6</b>	<b>(3.5, 16.0)</b>
	Maine	<b>9</b>	<b>73,607</b>	<b>8.9</b>	<b>(4.3, 17.5)</b>	15	57,947	10.1	(5.9, 16.8)	24	131,554	9.4	(5.9, 14.7)
	Nevada	16	161,112	19.4	(11.7, 30.6)	23	111,190	19.4	(12.2, 29.6)	39	272,302	19.4	(13.7, 26.9)
	Canada			--				--		<b>6</b>	<b>62,483</b>	<b>4.5</b>	<b>(1.8, 10.5)</b>
	Asia			--		0	0	0.0	(. . .)			--	
	Europe			--				--				--	
	Online			--				--				--	
Other			--		<b>7</b>	<b>36,695</b>	<b>6.4</b>	<b>(2.8, 14.0)</b>	<b>11</b>	<b>71,419</b>	<b>5.1</b>	<b>(2.6, 9.7)</b>	
As a result of the casinos in Massachusetts, are you spending less in any of the following areas? (Check all that apply)	Other forms of gambling	29	337,052	22.6	(15.4, 32.0)	44	228,750	17.4	(12.5, 23.7)	73	565,802	20.2	(15.5, 25.8)
	Live entertainment	18	249,894	16.8	(10.2, 26.4)	37	199,487	15.2	(10.7, 21.1)	55	449,381	16.0	(11.7, 21.6)
	Recreation and non-live entertainment	<b>9</b>	<b>113,968</b>	<b>7.7</b>	<b>(3.7, 15.2)</b>	<b>13</b>	<b>70,138</b>	<b>5.3</b>	<b>(2.8, 10.1)</b>	22	184,106	6.6	(3.9, 10.8)
	Restaurants and bars	29	339,449	22.8	(15.5, 32.2)	45	244,605	18.6	(13.6, 25.0)	74	584,054	20.8	(16.1, 26.5)
	Hotels and Travel	28	344,353	23.1	(15.5, 33.0)	34	191,674	14.6	(10.0, 20.8)	62	536,027	19.1	(14.3, 25.1)
	Retail items (clothing, furniture, recreational goods)	<b>13</b>	<b>118,675</b>	<b>8.0</b>	<b>(4.1, 14.8)</b>	23	140,542	10.7	(6.7, 16.7)	36	259,217	9.2	(6.2, 13.5)
	Housing and household items (groceries, rent, mortgage, utilities,	<b>7</b>	<b>78,873</b>	<b>5.3</b>	<b>(2.2, 12.5)</b>	16	95,343	7.3	(4.2, 12.4)	23	174,216	6.2	(3.7, 10.2)

		Mondays				Saturdays				Combined			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
	personal)												
	Health care (doctors visits, medication, health insurance, etc)	<b>6</b>	<b>76,356</b>	<b>5.1</b>	<b>(2.0, 12.4)</b>			--		<b>11</b>	<b>108,446</b>	<b>3.9</b>	<b>(1.8, 8.0)</b>
	Transportation			--		10	73,368	5.6	(2.6, 11.6)	<b>15</b>	<b>144,976</b>	<b>5.2</b>	<b>(2.8, 9.4)</b>
	Other services			--						<b>9</b>	<b>103,711</b>	<b>3.7</b>	<b>(1.6, 8.4)</b>
	Putting money in savings	24	262,644	17.6	(11.4, 26.4)	33	207,054	15.8	(10.9, 22.2)	57	469,698	16.8	(12.5, 22.1)
	Nothing	53	528,612	35.5	(27.1, 44.9)	135	599,479	45.7	(38.9, 52.6)	188	1,128,091	40.3	(34.6, 46.2)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in the past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 81. Would Have Spent Money Gambling in Another State by Geographic Origin**

		Host and surrounding community				Other municipalities in MA				Outside of MA or unknown			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
If there wasn't a casino in MA, would you have chosen to spend money you spent here today on gambling in another state?	Yes	74	580,592	54.1	(44.0, 63.9)	94	573,820	56.3	(46.5, 65.6)	45	282,227	51.9	(38.3, 65.3)
Where would you have to choose to spend money on gambling? (Check all that apply)	Connecticut	49	427,148	75.5	(62.9, 84.9)	77	483,499	86.8	(78.0, 92.4)	25	145,279	52.2	(34.0, 69.7)
	Rhode Island	32	283,209	50.1	(35.4, 64.8)	50	323,158	58.0	(46.0, 69.1)	<b>10</b>	<b>71,518</b>	<b>25.7</b>	<b>(12.3, 46.0)</b>
	New Jersey			--		12	78,716	14.1	(7.7, 24.5)			--	
	New York	<b>9</b>	<b>130,516</b>	<b>23.1</b>	<b>(11.6, 40.7)</b>	<b>9</b>	<b>67,498</b>	<b>12.1</b>	<b>(6.1, 22.6)</b>	<b>7</b>	<b>84,225</b>	<b>30.2</b>	<b>(14.1, 53.4)</b>
	Pennsylvania			--				--				--	
	Maine	<b>7</b>	<b>39,155</b>	<b>6.9</b>	<b>(2.6, 17.4)</b>	<b>7</b>	<b>49,627</b>	<b>8.9</b>	<b>(4.0, 18.4)</b>	<b>10</b>	<b>42,772</b>	<b>15.4</b>	<b>(7.7, 28.4)</b>
	Nevada	12	103,122	18.2	(9.6, 31.8)	23	154,471	27.7	(18.0, 40.1)			--	
	Canada			--				--				--	
	Asia			--				--		0	0	0.0	(. , .)
	Europe			--		0	0	0.0	(. , .)			--	
	Online			--		0	0	0.0	(. , .)			--	
Other			--				--				--		
As a result of the casinos in Massachusetts, are you spending less in any of the following areas? (Check all that apply)	Other forms of gambling	33	265,453	22.8	(15.3, 32.5)	29	197,091	18.7	(12.4, 27.2)	<b>11</b>	<b>103,259</b>	<b>17.8</b>	<b>(8.8, 32.6)</b>
	Live entertainment	26	207,056	17.8	(11.2, 26.9)	16	120,168	11.4	(6.5, 19.2)	<b>13</b>	<b>122,158</b>	<b>21.1</b>	<b>(10.8, 37.1)</b>
	Recreation and non-live entertainment	7	69,097	5.9	(2.2, 14.8)	12	89,353	8.5	(4.5, 15.4)			--	
	Restaurants and bars	37	299,749	25.7	(17.7, 35.8)	25	172,281	16.3	(10.6, 24.3)	12	112,024	19.3	(10.5, 32.9)
	Hotels and Travel	29	290,445	24.9	(16.5, 35.8)	24	184,102	17.4	(11.0, 26.5)	<b>9</b>	<b>61,479</b>	<b>10.6</b>	<b>(4.9, 21.4)</b>
	Retail items (clothing, furniture, recreational goods)	<b>13</b>	<b>113,751</b>	<b>9.8</b>	<b>(4.9, 18.5)</b>	<b>11</b>	<b>62,109</b>	<b>5.9</b>	<b>(3.2, 10.7)</b>	<b>12</b>	<b>83,357</b>	<b>14.4</b>	<b>(7.6, 25.6)</b>
	Housing and household items (groceries, rent,	<b>11</b>	<b>93,785</b>	<b>8.0</b>	<b>(3.8, 16.4)</b>	<b>9</b>	<b>53,168</b>	<b>5.0</b>	<b>(2.5, 9.8)</b>			--	

		Host and surrounding community				Other municipalities in MA				Outside of MA or unknown			
		N <sup>1</sup>	N <sup>2</sup>	Weighted		N <sup>1</sup>	N <sup>2</sup>	Weighted		N <sup>1</sup>	N <sup>2</sup>	Weighted	
				%	95% CI			%	95% CI			%	95% CI
	mortgage, utilities, personal)												
	Health care (doctors visits, medication, health insurance, etc)			--				--				--	
	Transportation	<b>6</b>	<b>77,242</b>	<b>6.6</b>	<b>(2.5, 16.2)</b>	<b>7</b>	<b>45,158</b>	<b>4.3</b>	<b>(1.9, 9.2)</b>			--	
	Other services			--				--				--	
	Putting money in savings	30	275,834	23.7	(15.9, 33.7)	20	149,855	14.2	(8.8, 22.1)	<b>7</b>	<b>44,009</b>	<b>7.6</b>	<b>(3.5, 15.5)</b>
	Nothing	60	366,123	31.4	(23.6, 40.5)	82	501,714	47.5	(38.3, 56.9)	46	260,254	44.9	(32.4, 58.0)

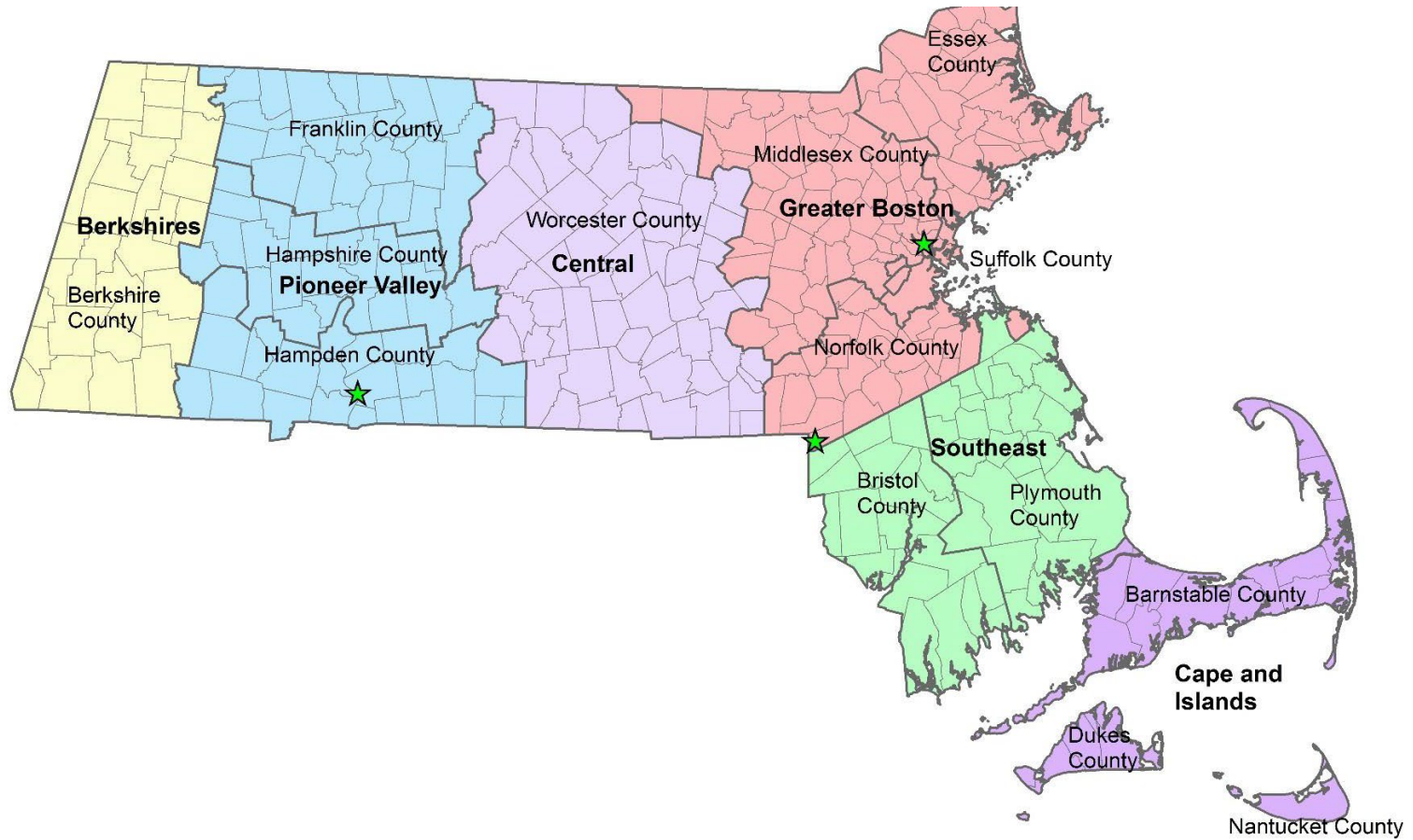
<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Figure 31. Economic Modeling: Map of Regions Used in Economic Modeling**



**Table 82. Share of Reallocated In-state On-site Patron Spending by REMI Region**

REMI region	Share of Gambling Spending	Share of Non-Gambling MGM Springfield Spending
Central	---	---
Greater Boston	99.8%	<i>99.1%</i>
Southeast	---	---

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 83. Share of Reallocated In-State Incidental On-Site Patron Spending by REMI Region**

REMI region	Share of Gambling Spending	Share of Non-Gambling MGM Springfield Spending
Pioneer Valley	---	---
Central	---	---
Greater Boston	<i>100.0%</i>	<i>99.4%</i>
Southeast	---	---
Cape and Islands	---	---

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 84. Share of Off-site Non-gambling Spending by Patron Type**

Patron group	Share of Off-site Spending
<b>1=Recaptured In-State</b>	59.7%
<b>2=Reallocated In-State</b>	16.8%
<b>3=Reallocated In-State Incidental</b>	<i>5.5%</i>
<b>4=New Out-of-State</b>	<i>11.3%</i>
<b>5=Captured Out-of-State Incidental</b>	<i>3.2%</i>
<b>6=Reallocated Out-of-State Incidental</b>	<i>3.6%</i>

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 85. Casino Patron Off-site Spending by REMI Region**

REMI region	Share of Off-site Spending
Pioneer Valley	---
Central	---
Greater Boston	97.5%
Southeast	---
Cape and Islands	---

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 86. Expenditure Proportion by Annual Household Income**

Annual household income		Non-gambling activities in EBH				Gambling activities in EBH				Non-gambling activities outside EBH			
		UN <sup>1</sup>	N <sup>2</sup>	95% CI <sup>2</sup>		UN <sup>1</sup>	N <sup>2</sup>	95% CI <sup>2</sup>		UN <sup>1</sup>	N <sup>2</sup>	95% CI <sup>2</sup>	
Total	Mean (95% CI)	303	2,125,060	259	( 175, 343)	341	2,351,753	300	( 229, 371)	244	1,779,074	285	( 200, 369)
	Median (95% CI)			53	( 27, 79)			116	( 70, 162)			95	( 75, 115)
	Total (95% CI)			550,240,970	(367,266,042, 733,215,899)			705,387,814	(529,908,575, 880,867,052)			506,401,872	(342,947,500, 669,856,244)
	% of total expenditure			1				1				1	
Less than \$30,000	Mean (95% CI)	41	300,068	173	( 62, 283)	46	332,975	234	( 100, 369)	33	228,511	216	( 10, 422)
	Median (95% CI)			61	( 9, 113)			96	( 29, 164)			41	( 12, 71)
	Total (95% CI)			51,800,309	(19,984,280, 83,616,337)			78,003,218	(31,007,289, 124,999,146)			49,329,512	(3,128,232, 95,530,792)
	% of total expenditure			0.09				0.11				0.10	
\$30,000 – 69,999	Mean (95% CI)	88	641,255	153	( 72, 233)	91	659,523	194	( 124, 265)	67	471,663	178	( 64, 291)
	Median (95% CI)			45	( 10, 80)			94	( 66, 122)			88	( 53, 122)
	Total (95% CI)			97,860,932	(48,484,280, 147,237,583)			128,184,597	(83,575,285, 172,793,909)			83,788,579	(31,821,183, 135,755,975)
	% of total expenditure			0.18				0.18				0.17	
\$70,000 - 99,999	Mean (95% CI)	45	331,198	268	( 62, 474)	57	419,994	290	( 143, 436)	42	338,923	381	( 158, 604)
	Median (95% CI)			45	( -33, 123)			146	( 25, 267)			162	( -4, 328)
	Total (95% CI)			88,720,137	(23,393,320, 154,046,955)			121,680,141	(57,363,663, 185,996,619)			129,052,008	(41,654,648, 216,449,369)
	% of total expenditure			0.16				0.17				0.25	
\$100,000 or more	Mean (95% CI)	129	852,539	366	( 190, 542)	147	939,262	402	( 255, 549)	102	739,977	330	( 185, 475)
	Median (95% CI)			80	(53, 106)			156	( 85, 226)			106	( 52, 160)
	Total (95% CI)			311,859,593	(150,069,550, 473,649,635)			377,519,858	(226,378,178, 528,661,538)			244,231,773	(122,082,663, 366,380,882)



Annual household income		Non-gambling activities in EBH			Gambling activities in EBH			Non-gambling activities outside EBH		
		UN <sup>1</sup>	N <sup>2</sup>	95% CI <sup>2</sup>	UN <sup>1</sup>	N <sup>2</sup>	95% CI <sup>2</sup>	UN <sup>1</sup>	N <sup>2</sup>	95% CI <sup>2</sup>
% of total expenditure		0.57			0.54			0.48		

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in the past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 87. Expenditures (in \$) by Income (4 categories) among EBH Patrons who live in Massachusetts**

Annual household income		Non-gambling activities in EBH				Gambling activities in EBH				Non-gambling activities outside EBH			
		UN <sup>1</sup>	N <sup>2</sup>	95% CI <sup>2</sup>		UN <sup>1</sup>	N <sup>2</sup>	95% CI <sup>2</sup>		UN <sup>1</sup>	N <sup>2</sup>	95% CI <sup>2</sup>	
Total	Mean (95% CI)	237	1,704,449	259	(162, 355)	275	1,905,661	289	(210, 368)	187	1,366,026	307	(199, 415)
	Median (95% CI)			50	(31, 69)			115	(69, 162)			95	(74, 116)
	Total (95% CI)			441,316,305	(270,003,968, 612,628,642)			551,065,859	(388,979,932, 713,151,786)			419,507,182	(256,919,920, 582,094,443)
	% of total expenditure			1				1				1	
Less than \$30,000	Mean (95% CI)	36	250,091	159	<b>(38, 279)</b>	40	270,574	207	<b>(53, 361)</b>	29	176,000	230	<b>(-31, 490)</b>
	Median (95% CI)			44	<b>(-2, 89)</b>			75	<b>(15, 135)</b>			37	<b>(8, 65)</b>
	Total (95% CI)			39,643,527	<b>(11,935,061, 67,351,994)</b>			55,920,260	(13,606,338, 98,234,182)			40,398,185	<b>(-5,335,935, 86,132,305)</b>
	% of total expenditure			0.09				0.10				0.10	
\$30,000 – 69,999	Mean (95% CI)	72	534,522	155	(62, 248)	75	552,822	168	(111, 225)	56	391,975	190	<b>(54, 326)</b>
	Median (95% CI)			45	<b>(8, 82)</b>			94	(65, 123)			86	(50, 122)
	Total (95% CI)			82,796,977	(34,841,379, 130,752,575)			92,781,092	(59,701,480, 125,860,705)			74,401,848	(22,011,183, 126,792,513)
	% of total expenditure			0.19				0.17				0.18	
\$70,000 - 99,999	Mean (95% CI)	31	239,573	351	<b>(68, 634)</b>	44	325,137	280	(126, 435)	27	235,000	483	<b>(182, 785)</b>
	Median (95% CI)			67	<b>(-38, 172)</b>			166	<b>(58, 273)</b>			200	<b>(20, 380)</b>
	Total (95% CI)			84,024,391	<b>(18,095,622, 149,953,160)</b>			91,231,633	(36,615,016, 145,848,250)			113,603,490	<b>(25,489,614, 201,717,367)</b>
	% of total expenditure			0.19				0.17				0.27	
\$100,000 or more	Mean (95% CI)	98	680,262	345	(146, 544)	116	757,128	411	(244, 578)	75	563,052	339	<b>(152, 526)</b>
	Median (95% CI)			58	(29, 88)			174	(99, 249)			98	(76, 120)
	Total (95% CI)			234,851,410	(84,986,093, 384,716,726)			311,132,874	(167,266,239, 454,999,509)			191,103,658	<b>(70,328,292, 311,879,025)</b>

Annual household income	Non-gambling activities in EBH			Gambling activities in EBH			Non-gambling activities outside EBH		
	UN <sup>1</sup>	N <sup>2</sup>	95% CI <sup>2</sup>	UN <sup>1</sup>	N <sup>2</sup>	95% CI <sup>2</sup>	UN <sup>1</sup>	N <sup>2</sup>	95% CI <sup>2</sup>
% of total expenditure			0.53			0.56			0.46

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in the past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 88. Expenditures (in \$) by Income (4 categories) among EBH Patrons who live in Host and Surrounding Communities**

Annual household income		Non-gambling activities in EBH				Gambling activities in EBH				Non-gambling activities outside EBH			
		UN <sup>1</sup>	N <sup>2</sup>		95% CI <sup>2</sup>	UN <sup>1</sup>	N <sup>2</sup>		95% CI <sup>2</sup>	UN <sup>1</sup>	N <sup>2</sup>		95% CI <sup>2</sup>
Total	Mean (95% CI)	117	872,079	273	(115, 431)	139	1,041,125	272	(153, 390)	101	783,913	314	(150, 479)
	Median (95% CI)			50	(29, 70)			99	(71, 127)			92	(68, 116)
	Total (95% CI)			<b>238,272,881</b>	<b>(91,510,213, 385,035,548)</b>			283,072,008	(146,435,114, 419,708,902)			<b>246,482,772</b>	<b>(100,213,596, 392,751,947)</b>
	% of total expenditure			1				1				1	
Less than \$30,000	Mean (95% CI)	22	132,329	<b>237</b>	<b>(20, 455)</b>	26	160,393	<b>266</b>	<b>(13, 518)</b>	18	105,596	<b>327</b>	<b>(-101, 754)</b>
	Median (95% CI)			<b>37</b>	<b>(-8, 81)</b>			<b>88</b>	<b>(20, 156)</b>			<b>42</b>	<b>(-18, 104)</b>
	Total (95% CI)			<b>31,411,892</b>	<b>(3,235,242, 59,588,543)</b>			<b>42,602,186</b>	<b>(53,606, 85,150,766)</b>			<b>34,506,449</b>	<b>(-11,542,162, 80,555,061)</b>
	% of total expenditure			0.13				0.15				0.14	
\$30,000 – 69,999	Mean (95% CI)	40	300,156	<b>170</b>	<b>(14, 326)</b>	39	310,048	125	(84, 167)	30	224,742	94	(58, 129)
	Median (95% CI)			<b>41</b>	<b>(0, 82)</b>			<b>83</b>	<b>(15, 150)</b>			81	(38, 123)
	Total (95% CI)			51,090,945	(5,618,863, 96,563,027)			38,859,590	(21,851,427, 55,867,753)			21,066,743	(10,765,290, 31,368,196)
	% of total expenditure			0.21				0.14				0.09	
\$70,000 - 99,999	Mean (95% CI)	17	129,407	<b>421</b>	<b>(-47, 890)</b>	25	200,234	<b>287</b>	<b>(59, 516)</b>	17	147,063	<b>460</b>	<b>(48, 873)</b>
	Median (95% CI)			<b>69</b>	<b>(-48, 186)</b>			<b>167</b>	<b>(23, 311)</b>			<b>180</b>	<b>(-34, 394)</b>
	Total (95% CI)			<b>54,501,013</b>	<b>(-7,540,293, 116,542,318)</b>			57,503,854	(7,241,090, 107,766,617)			<b>67,734,535</b>	<b>(-10,736,119, 146,205,188)</b>
	% of total expenditure			0.23				0.20				0.27	
\$100,000 or more	Mean (95% CI)	38	310,186	<b>326</b>	<b>(-28, 681)</b>	49	370,451	<b>389</b>	<b>(113, 665)</b>	36	306,512	<b>402</b>	<b>(82, 722)</b>
	Median (95% CI)			<b>49</b>	<b>(15, 84)</b>			<b>120</b>	<b>(6, 234)</b>			98	(52, 144)
	Total (95% CI)			101,269,030	(-22,681,988, 225,220,049)			<b>144,106,378</b>	<b>(24,092,112, 264,120,643)</b>			<b>123,175,044</b>	<b>(6,237,889, 240,112,200)</b>

Annual household income	Non-gambling activities in EBH			Gambling activities in EBH			Non-gambling activities outside EBH		
	UN <sup>1</sup>	N <sup>2</sup>	95% CI <sup>2</sup>	UN <sup>1</sup>	N <sup>2</sup>	95% CI <sup>2</sup>	UN <sup>1</sup>	N <sup>2</sup>	95% CI <sup>2</sup>
% of total expenditure			0.43			0.51			0.50

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in the past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

## Appendix K: Responsible Gambling and GameSense

**Table 89. Strategies to keep gambling within personally affordable limits by day of collection**

		Mondays				Saturdays				Combined			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
Strategies to keep gambling within personally affordable limits	I avoid using ATMs at the casino	60	645,637	44.4	(35.0, 54.3)	108	518,584	41.5	(34.8, 48.6)	168	1,164,221	43.1	(37.1, 49.3)
	I took a break to cool off	28	322,357	22.2	(14.9, 31.7)	34	175,649	14.1	( 9.9, 19.6)	62	498,007	18.4	(13.9, 24.1)
	I thought of gambling as fun, not as a way to make money	43	449,494	31.0	(22.7, 40.6)	77	388,537	31.1	(24.8, 38.1)	120	838,032	31.0	(25.6, 37.1)
	I did not CHASE my losses	22	238,361	16.4	(10.7, 24.3)	56	284,367	22.8	(17.2, 29.5)	78	522,728	19.4	(15.1, 24.4)
	I left the casino while I was ahead	40	431,524	29.7	(21.6, 39.3)	60	251,669	20.1	(15.4, 25.9)	100	683,193	25.3	(20.3, 31.1)
	I stuck with a limit for how much I could LOSE during a single visit	45	470,581	32.4	(24.2, 41.9)	84	325,398	26.0	(20.8, 32.0)	129	795,979	29.5	(24.3, 35.2)
	I talked to a GameSense advisor at Encore Boston Harbor and/or accessed a GameSense kiosk			--				--				--	
	other			--		<b>7</b>	<b>47,480</b>	<b>3.8</b>	<b>( 1.5, 9.1)</b>	<b>11</b>	<b>108,836</b>	<b>4.0</b>	<b>( 2.0, 7.8)</b>

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 90. Strategies to keep gambling within personally affordable limits by geographic origin**

		Host and surrounding community				Other municipalities in MA				Outside of MA or unknown			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
Strategies to keep gambling within personally affordable limits	I avoid using ATMs at the casino	74	552,555	49.2	(39.3, 59.2)	63	401,555	38.9	(30.0, 48.5)	31	210,111	38.5	(26.1, 52.5)
	I took a break to cool off	33	269,938	24.0	(16.2, 34.1)	17	138,888	13.4	(8.0, 21.6)	12	89,181	16.3	(8.0, 30.4)
	I thought of gambling as fun, not as a way to make money	44	351,224	31.3	(22.6, 41.6)	48	314,299	30.4	(22.5, 39.7)	28	172,508	31.6	(20.6, 45.1)
	I did not CHASE my losses	31	201,235	17.9	(12.0, 25.9)	28	178,748	17.3	(11.5, 25.2)	19	142,745	26.1	(15.7, 40.3)
	I left the casino while I was ahead	44	310,948	27.7	(19.9, 37.2)	39	278,260	26.9	(19.0, 36.7)	17	93,985	17.2	(9.1, 30.2)
	I stuck with a limit for how much I could LOSE during a single visit	44	285,753	25.5	(17.6, 35.3)	59	372,058	36.0	(27.6, 45.4)	26	138,168	25.3	(16.3, 37.1)
	I talked to a GameSense advisor at Encore Boston Harbor and/or accessed a GameSense kiosk			--				--				--	
	other			--		<b>8</b>	<b>72,440</b>	<b>7.0</b>	<b>( 3.2, 14.7)</b>			--	

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

**Table 91. What impact have these strategies had on your ability to play within your limits by day of data collection**

		Mondays				Saturdays				Combined			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
What impact have these strategies had on your ability to play within your limits	Strong impact	50	474,622	33.7	(25.3, 43.4)	85	412,838	33.1	(26.7, 40.1)	135	887,461	33.4	(27.9, 39.4)
	Modest impact	45	479,421	34.1	(25.4, 44.0)	72	353,745	28.3	(22.5, 35.0)	117	833,166	31.4	(25.9, 37.4)
	Weak impact	<b>11</b>	<b>146,750</b>	<b>10.4</b>	<b>(5.4, 19.2)</b>	20	108,985	8.7	(5.3, 14.1)	31	255,736	9.6	(6.2, 14.6)
	No impact	24	306,868	21.8	(14.3, 31.7)	76	372,684	29.9	(23.7, 36.9)	100	679,552	25.6	(20.4, 31.6)

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.



**Table 92. What impact have these strategies had on your ability to play within your limits by geographic origin**

		Host and surrounding community				Other municipalities in MA				Outside of MA or unknown			
		Weighted				Weighted				Weighted			
		N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI	N <sup>1</sup>	N <sup>2</sup>	%	95% CI
What impact have these strategies had on your ability to play within your limits	Strong impact	51	342,662	31.1	(22.8, 40.8)	51	372,428	36.2	(27.4, 46.0)	33	172,371	32.9	(22.2, 45.7)
	Modest impact	53	450,536	40.9	(31.2, 51.3)	48	301,707	29.3	(21.6, 38.3)	16	80,923	15.4	(9.1, 25.0)
	Weak impact	15	152,489	13.8	(7.5, 24.2)	<b>12</b>	<b>82,451</b>	<b>8.0</b>	<b>(4.2, 14.8)</b>			--	
	No impact	27	156,178	14.2	(9.0, 21.5)	<b>46</b>	<b>273,305</b>	<b>26.5</b>	<b>(19.0, 35.7)</b>	<b>27</b>	<b>250,069</b>	<b>47.7</b>	<b>(34.0, 61.8)</b>

<sup>1</sup>Unweighted N refers to the total number of respondents who answered this question.

<sup>2</sup>Weighted N is the estimated total number of patrons who visited Encore Boston Harbor in past year.

Note: A dash indicates that the cell size is less than 6.

Note: Italics indicates estimates are unreliable, relative standard error >30%.

# Appendix L: License Plate Collection Instrument

## 2022 EBH LICENSE PLATE SURVEY TALLY SHEET

Use new sheet for each floor – Use  in boxes below

Date	Names	Start time this form	End time this form	Location X
				B1 _____ B2 _____
				B3 _____ B4 _____

	Car/Motorcycle
Massachusetts	
Connecticut	
Rhode Island	
New Hampshire	
New York	
New Jersey	
Maine	
Vermont	
Pennsylvania	
Other	

# 2022 Encore Boston Harbor Patron Survey

Presenters from the University of Massachusetts, Amherst

Laurie Salame, Senior Lecturer II, Isenberg School of Management

Thomas Peake, Senior Research Analyst, Donahue Institute

Rachel Volberg, Research Professor, School of Public Health & Health Sciences

# Patron Survey Logistics

- Surveys take place regularly at each venue
- Rigorous methods used to capture representative sample

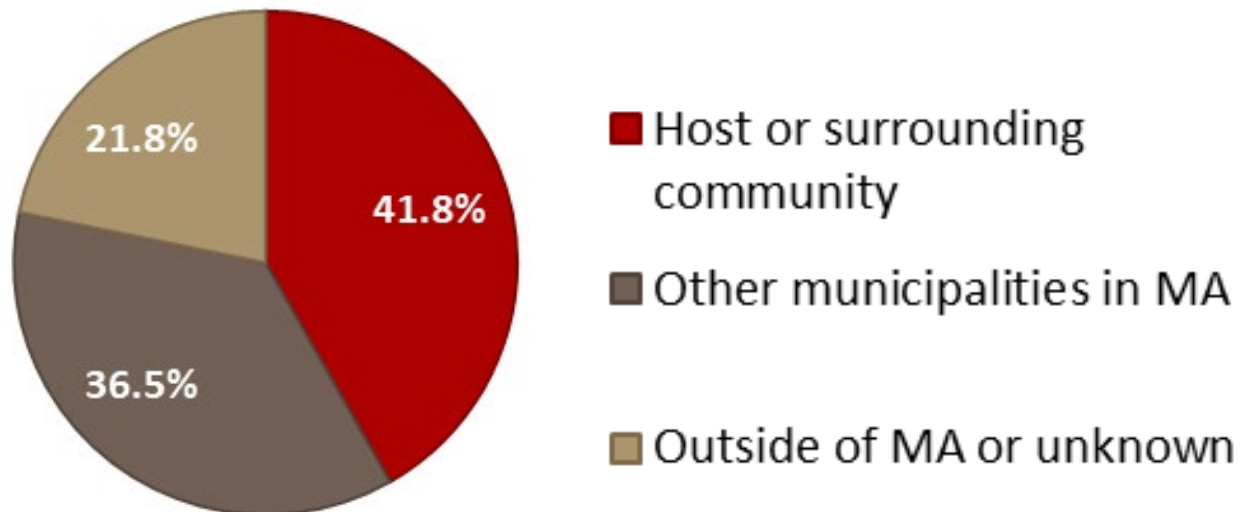
Past Surveys	Encore Boston Harbor Survey
Conducted 6-12 months after opening	Delayed due to COVID and related closures
2 waves (winter & summer)	1 wave (spring)
8 survey days, 6-hour collection periods	4 survey days, 7-hour collection periods
Approach every 6 <sup>th</sup> patron exiting	Approach every 5 <sup>th</sup> patron exiting
Peak/non-peak periods, days (weekday/weekend) and hours (day/evening)	
Survey teams at multiple exits	
Data weighted to adjust for differential age, gender, and race non-response	

- Completed 440 surveys with a 15.4% response rate
- Conducted License Plate Survey concurrently (similar residency)

# Geographic Origins

- The majority of patrons (78.3%) are from MA
  - 41.8% from the host (Everett) and surrounding communities (Boston, Cambridge, Chelsea, Saugus, Lynn, Malden, Medford, Melrose, and Somerville)
  - 36.5% from other MA locations
- 21.8% were from outside of MA

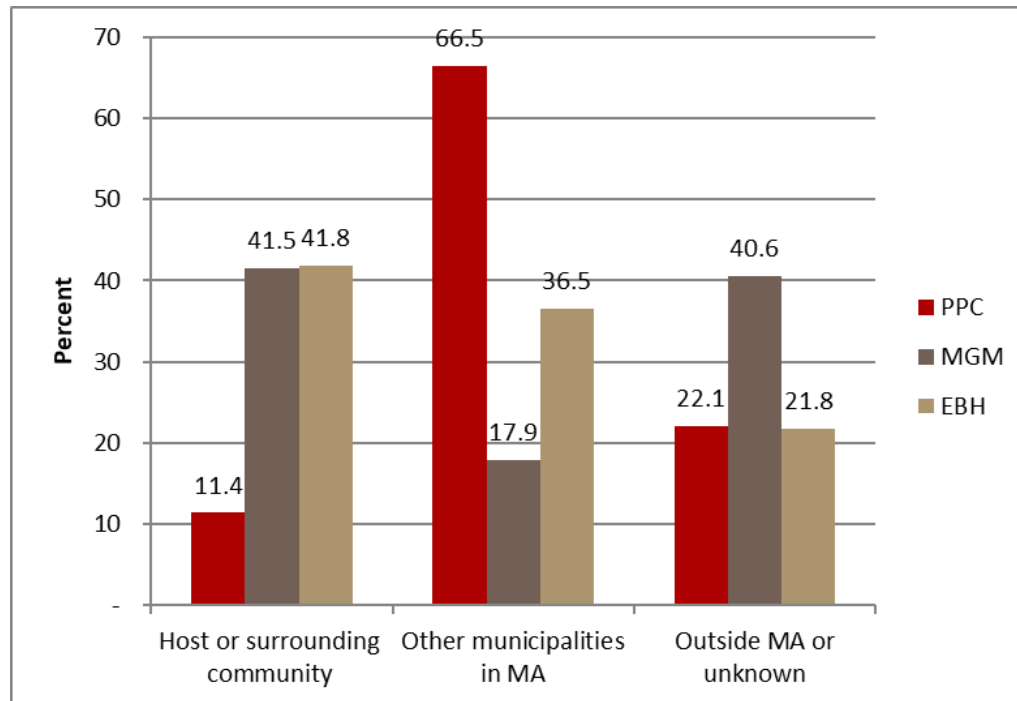
Geographic Origin of Patrons



# Geographic Origins: Compared

- We did not do a comprehensive 3-casino comparison (coming later), but we did include a small comparison section in the report (and a couple snapshots here)

**Patron Origin by Massachusetts Casino Venue**



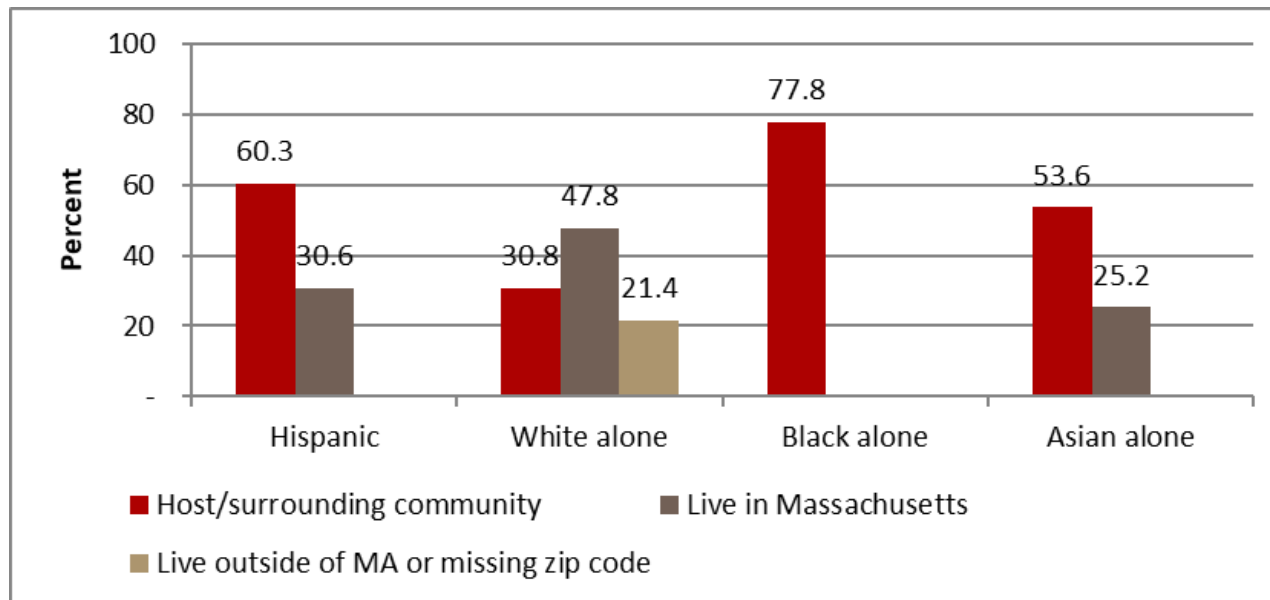
# Demographics

- **Gender:** a bit more men (55.2%) vs. women (38.7%)
- **Race/ethnicity:** over half White (55.0%), a quarter Asian (24.9%), with smaller proportions of Hispanic (7.6%) or Black (8.3)
- **Age:** mean age 44, middle-aged (58.1% age 35-64), with more younger patrons (25.7% age 21-34) than older patrons (16.1% age 65 or older)
- **Annual household incomes varied:**
  - 14.1% <\$30,000
  - 10.5% \$30,000-\$49,999
  - 35.0% \$50,000-\$99,999
  - 40.4% \$100,000+
- **Employment:** majority (71.6%) employed, almost one fifth (18.7%) retired

# Racial Diversity

- 40.8% of patrons identified as non-White (44.4% for two+ races)
- Nearly a quarter (24.9%) of the patrons were Asian
  - For MA patrons, 24.3% were Asian compared to their much smaller prevalence in the adult population of MA (7.1%)
  - Asian patrons from host and surrounding communities was even higher (31.2%)

## Geographic Origin by Race/Ethnicity

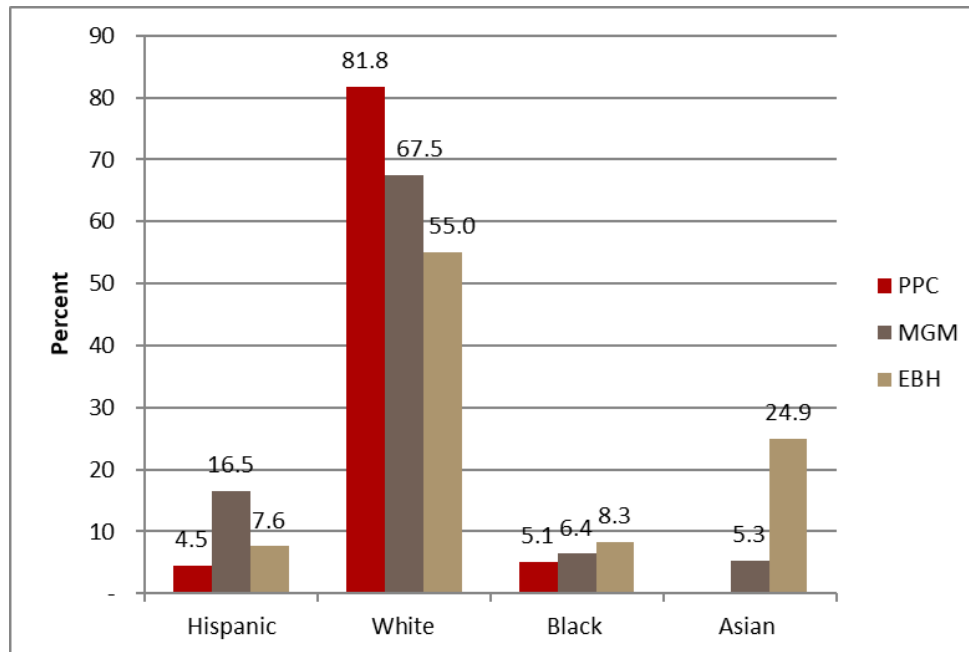




# *Racial Diversity: Compared*

- One of the most significant comparisons of the three venues was around the race/ethnicity of patrons
- EBH was the most racially diverse with roughly 45% non-White compared to 32.5% at MGM and 18.2% at PPC

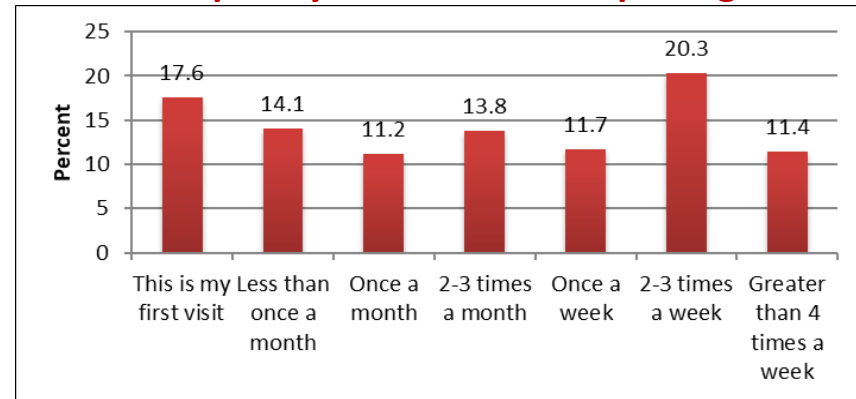
**Patron Race/Ethnicity Massachusetts Casino Venue**



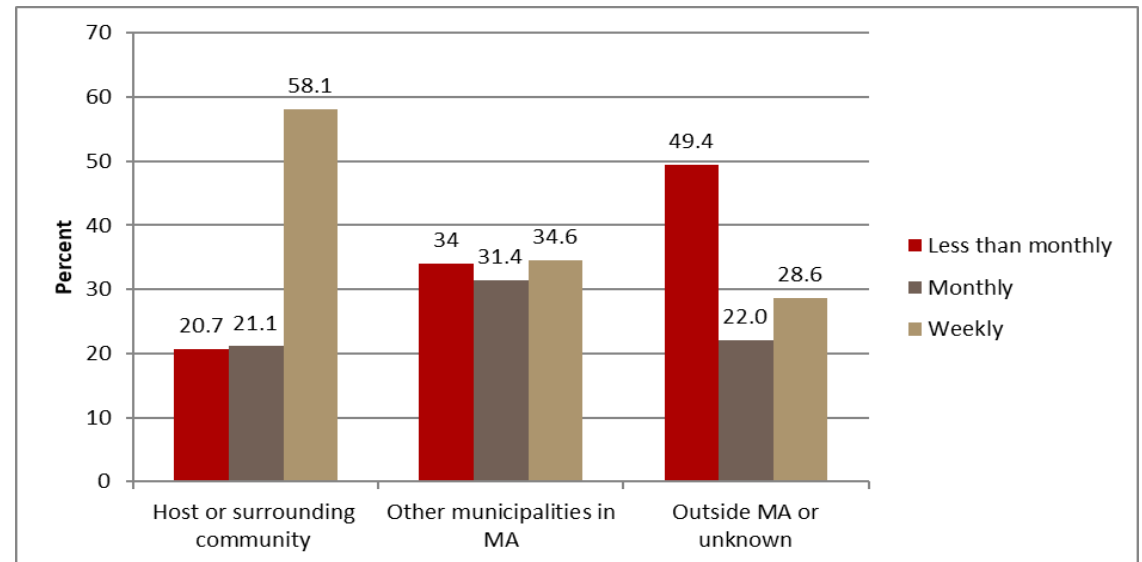
# Frequency of Visitation

- 17.6% of all patrons reported this was their first visit
- 13.8% reported 2-3 times a month
- 43.4% reported visiting once a week or more (58.1% for HSC)

Frequency of Visits since Opening



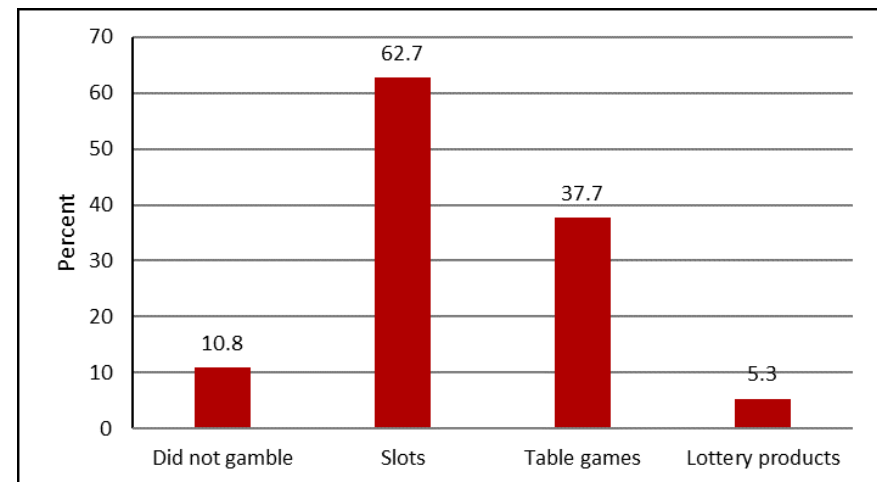
Frequency of Visits since Opening by Geographic Origin



# Activities

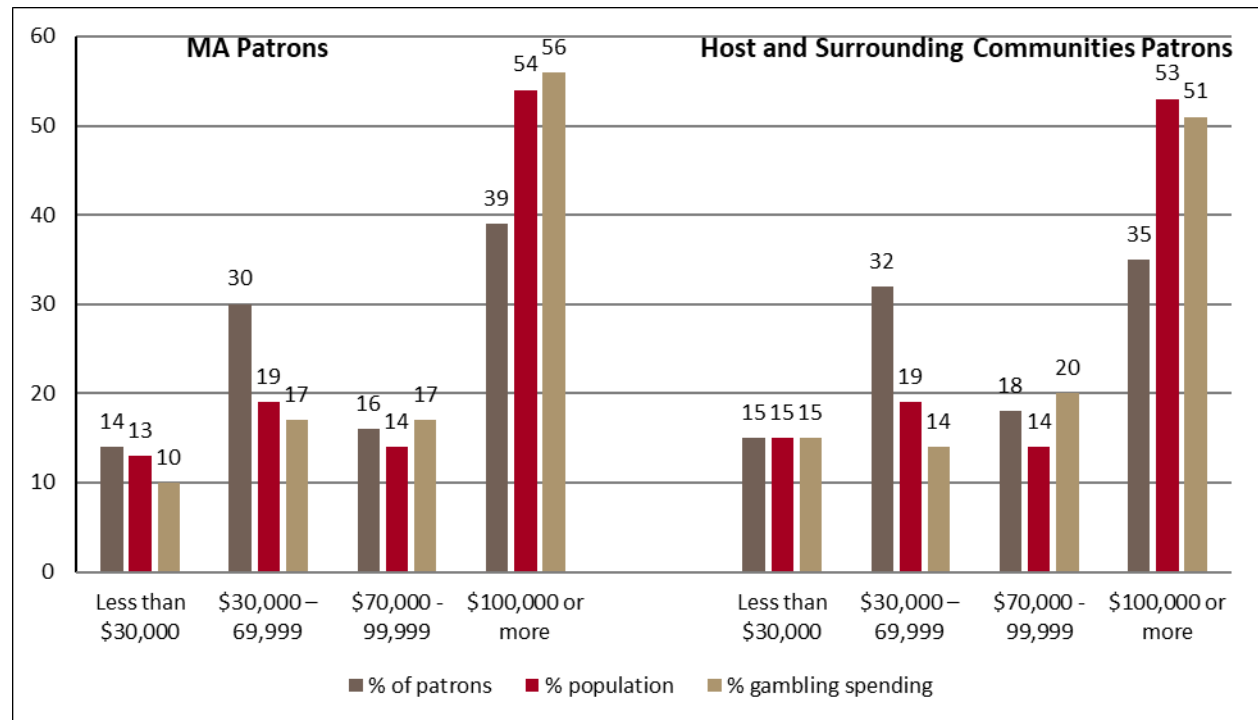
- Gambling activities
  - 89.2% gambled during this visit
- Non-gambling activities
  - 79.4% spent money on non-gambling activities **in Encore Boston Harbor**
    - Most was F&B (68.1%), followed by hotel (17.8%), shopping (16.1%), and entertainment (13.8%)
  - 70.5% spent money engaged in **off-site activities**
    - Attended event/show/exhibit was most frequent (33.6%) followed by F&B (21.1%)
- Responsible Gambling and GameSense
  - Top 3 strategies to gamble within personal limits were: avoiding ATMs (43.1%), viewing gambling as fun not way to make money (31.0%), and sticking to monetary limit (29.5%)

**Gambling Activities Participated in**



# Impact on Lower Income MA Patrons

Casino Gambling Expenditure by Household Income



- Do lower income people spend more at the casino?
- Lowest income:
  - % patrons: 14%
  - % population: 13%
  - % casino gambling spending: 10%
- Highest income:
  - % patrons: 39%
  - % population: 54%
  - % casino gambling spending: 56%

- Data suggests casino gambling at EBH does not have a “regressive impact”

# Economic Modeling

- Patron survey data is an important input to our economic impact modeling exercise, which utilizes the PI+ economic impact model produced by Regional Economic Models Incorporated (REMI)
- The most important question: how would patrons have spent their money if the casinos had never opened?
  - Money that would have been spent out of state is “new” to MA
  - Money that would have been spent in MA comes at the expense of other types of businesses
- Economic work is ongoing, but results will be presented to the MGC this summer

# How is Patron Data Used

- Patron data allows us to determine what economic activity would not have occurred in Massachusetts if not for the casinos
  - How much money was recaptured from in-state residents who otherwise would have gambled out-of-state?
  - How much of Encore Boston Harbor's revenue would have otherwise been spent elsewhere in MA, and where?
  - How much new, out-of-state spending is Encore Boston Harbor attracting?

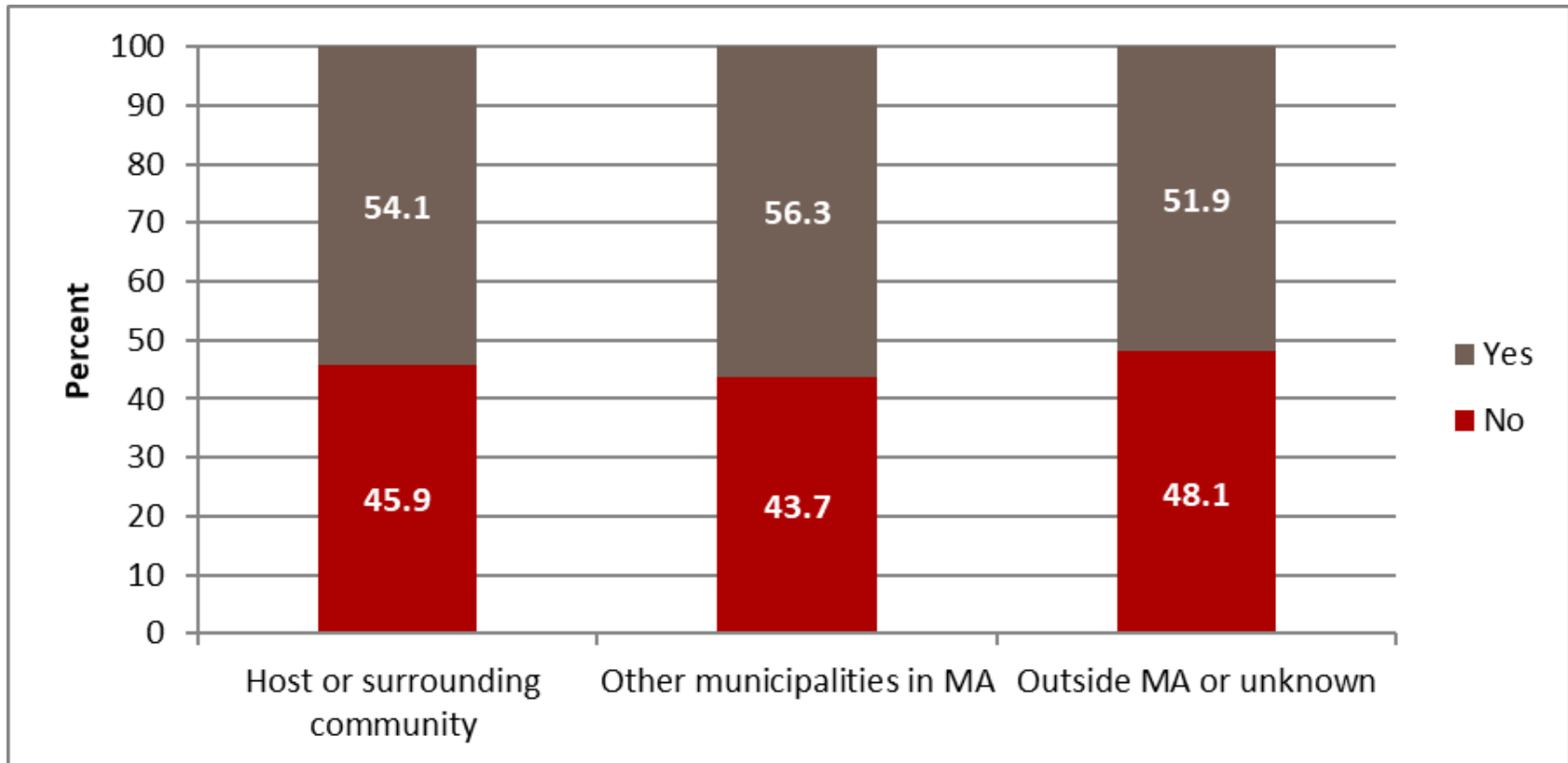
# Findings

- In-State patrons whose spending was recaptured from out-of-state accounted for 45.2% of the reported gambling spending, and 64.4% of the non-gambling spending
- Patrons whose spending was reallocated from other businesses in Massachusetts accounted for 24.3% of reported gambling spending
- Over 95% of in-state reported spending came from patrons in the Metro Boston region (Suffolk, Essex, Middlesex, and Norfolk Counties)

# Recaptured Spending

- The majority of casino patrons would have gambled in another state if not for Encore Boston Harbor

Would Have Gambled in Another State by Geographical Origin of Patron





# Thank you!

## Questions and Comments

This\* and other reports can be found on our Website:

<https://www.umass.edu/seigma/reports>

\*Final report has not yet been released



*Division of Racing*

TO: Cathy Judd-Stein, Chair  
Eileen O'Brien, Commissioner  
Bradford Hill, Commissioner  
Nakisha Skinner, Commissioner  
Jordan Maynard, Commissioner

FROM: Alexandra Lightbown, Director of Racing

CC: Karen Wells, Executive Director  
Todd Grossman, General Counsel

DATE: June 1, 2023

RE: Plainridge Racing Official

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Dear Commissioners:

This is to inform you that Plainridge Park Casino Director of Racing Steve O'Toole submitted a request for approval of Dr. Zach Matzkin as a Racing Official (Association Veterinarian), on May 22, 2023. As part of the Delegation of Authority to the Director of Racing (2013), I approved this request. Dr. Matzkin was then able to substitute for Association Veterinarian Dr. Murdock on May 23, 2023. Dr. Matzkin has successfully completed the Massachusetts Gaming Commission licensing process.



Massachusetts Gaming Commission



PLAINRIDGE PARK  
CASINO

---

May 22, 2023

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

Dear Director Lightbown,

Plainridge Park Casino respectfully requests approval for Dr. Zach Matzkin to fill in from time to time as Plainridge Park Association Veterinarian during the 2023 season.

Sincerely,

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



## MASSACHUSETTS GAMING COMMISSION

---

**To:** Chair Judd-Stein and Commissioners Hill, Maynard, O'Brien, and Skinner  
**From:** Karen Wells, Douglas O'Donnell, John Scully, and Derek Lennon  
**Date:** June 1, 2024  
**Re:** Fiscal Year 2024 (FY24) Budget Recommendations

---

### Summary

The Massachusetts Gaming Commission's (MGC) initial Fiscal Year 2024 (FY24) budget and assessment projections are composed of the following:

- **Gaming**
  - \$30.84M for gaming regulatory costs, including funding for 87.03 full-time equivalents (FTEs) and 3 contract positions;
  - \$2.55M for the Commonwealth's indirect costs;
  - \$3.92M for the Office of the Attorney General's (AGO) gaming operations, inclusive of Massachusetts State Police (MSP) assigned to the AGO;
  - \$75K for the Alcohol and Beverage Control Commission (ABCC); resulting in,
  - \$37.39M total funding of the Gaming Control Fund
- **Racing**
  - \$2.72M for racing regulatory costs, including funding for 7.35 FTEs;
  - \$204.5K for the Commonwealth's indirect costs;
  - \$2.93M combined total of regulated racing costs.
- **Community Mitigation Fund**
  - \$385.39K for grant review and sub-recipient monitoring costs, including funding for 2 FTEs
- **Sports Wagering Control Fund**
  - \$7.89M for sports wagering regulatory costs, including funding for 33.24 FTEs and 3 contractors;
  - \$440.54K for the Commonwealth's indirect costs
- **Public Health Trust Fund**
  - \$5.90M for the research and responsible gaming agenda, inclusive of 3 FTEs. The Commission's research and responsible gaming office will be funded by the Public Health Trust Fund (PHTF)

### Total Budget

The total budget presented today, excluding racing capital and promotional trust funds that benefit licensees and grants from the Community Mitigation Fund, is \$54.94M and funds 132.62 FTES and 6 contract employees.



Massachusetts Gaming Commission

Fund	Grouping Name	FY24 Budget	FTEs	Contractors
<b>Mass. Gaming Commission 1050-0001</b>				
	MGC Regulatory Costs	\$30,842,723.03	87.03	3.00
	Indirect	\$2,549,564.19		
	Office of Attorney General and AGO MSP	\$3,924,122.55		
	Alcohol and Beverage Control Commission	\$75,000.00		
	<b>Mass. Gaming Commission Total</b>	<b>\$37,391,409.77</b>		
<b>MGC Mass Racing Development and Oversight Trust 1050-0003</b>				
	MGC Regulatory Costs	\$2,722,115.95	7.35	-
	Indirect	\$204,504.23		
	<b>MGC Mass Racing Development and Oversight Trust</b>	<b>\$2,926,620.18</b>		
<b>Community Mitigation 1050-0004</b>				
	MGC Regulatory Costs	\$385,392.33	2.00	-
	<b>Community Mitigation Total</b>	<b>\$385,392.33</b>		
<b>Sports Wagering Control Fund 1050-1384</b>				
	MGC Regulatory Costs	\$7,881,980.49	33.24	3.00
	Indirect	\$440,545.25		
	Research and Responsible Gaming/PHTF	\$12,100.00		
	<b>Sports Wagering Control Fund Total</b>	<b>\$8,334,625.74</b>		
<b>Public Health Trust Fund 4000-1101</b>				
	MGC Regulatory Costs	\$15,951.45	3.00	-
	Research and Responsible Gaming/PHTF	\$5,884,648.17		
	<b>Public Health Trust Fund Total</b>	<b>\$5,900,599.62</b>		
	<b>MGC Total</b>	<b>\$54,938,647.64</b>	<b>132.62</b>	<b>6.00</b>

### Fiscal Year 2024 Massachusetts Gaming Commission Budget Overview

The MGC's annual budget building process begins in February and concludes once the Commission approves a budget in June. The MGC Office of Finance met with each division/bureau head within the MGC and developed spending and revenue projections that are best estimate representations of what will be needed in FY24 to operate the Commission, as well as what can be expected for revenue based on the Commission's current fee structures. These requests were then reviewed by the CFAO, the Executive Director, and the Treasurer of the Commission. A third review was conducted by representatives of both the gaming licensees and sports wagering licensees in a virtual meeting on May 15, 2023. The meeting included a comprehensive review of the Commission's budget and staffing levels.

The MGC's FY24 budget of \$54.9M represents a \$5.5M (11.12%) increase over the currently approved FY23 budget. FY23 experienced substantial growth in FTEs because of the implementation and regulation of sports wagering. The Commission approved an initial FY23 budget funding 104 FTEs and 4 contractors. As of the writing of this memorandum, the Commission has increased the approved FTEs to 122.62 FTEs and 10 contractors. In FY24 we recommend increasing the number to 132.62 FTEs and dropping it down to 6 contractors.



Massachusetts Gaming Commission

Fund	FY23 Initial FTEs	FY23 Initial Contractors	FY23 Current FTEs	FY 23 Current Contractors	FY24 FTEs	FY24 Contractors
10500001 Gaming Control Fund	89.94	4.00	94.37	4.00	87.03	3.00
MGC Mass Racing Development and Oversight Trust	9.06	-	9.50	-	7.35	
10500004 Community Mitigation	2.00	-	2.00		2.00	
10501384 Sports Wagering Control Fund	-	-	13.75	6.00	33.24	3.00
40001101 Public Health Trust Fund	3.00	-	3.00	-	3.00	-
	104.00	4.00	122.62	10.00	132.62	6.00

Fund	Grouping Name	FY23	FY24	Variance	% Variance
<b>Mass. Gaming Commission 1050-0001</b>					
	MGC Regulatory Costs	\$29,608,017.04	\$30,842,723.03	\$1,234,705.99	4.17%
	Indirect	\$2,419,852.48	\$2,549,564.19	\$129,711.71	5.36%
	Office of Attorney General and AGO MSP	\$3,866,497.12	\$3,924,122.55	\$57,625.43	1.49%
	Alcohol and Beverage Control Commission	\$75,000.00	\$75,000.00	\$0.00	0.00%
	<b>Mass. Gaming Commission Total</b>	<b>\$35,969,366.64</b>	<b>\$37,391,409.77</b>	<b>\$1,422,043.13</b>	<b>3.95%</b>
<b>MGC Mass Racing Development and Oversight Trust 1050-0003</b>					
	MGC Regulatory Costs	\$2,898,624.44	\$2,722,115.95	-\$176,508.49	-6.09%
	Indirect	\$209,178.18	\$204,504.23	-\$4,673.95	-2.23%
	<b>MGC Mass Racing Development and Oversight Trust</b>	<b>\$3,107,802.62</b>	<b>\$2,926,620.18</b>	<b>-\$181,182.44</b>	<b>-5.83%</b>
<b>Community Mitigation 1050-0004</b>					
	MGC Regulatory Costs	\$350,057.34	\$385,392.33	\$35,334.99	10.09%
	<b>Community Mitigation Total</b>	<b>\$350,057.34</b>	<b>\$385,392.33</b>	<b>\$35,334.99</b>	<b>10.09%</b>
<b>Sports Wagering Control Fund 1050-1384</b>					
	MGC Regulatory Costs	\$4,124,572.78	\$7,881,980.49	\$3,757,407.71	91.10%
	Indirect	\$401,067.08	\$440,545.25	\$39,478.17	9.84%
	Research and Responsible Gaming/PHTF	\$222,100.00	\$12,100.00	-\$210,000.00	-94.55%
	<b>Sports Wagering Control Fund Total</b>	<b>\$4,747,739.86</b>	<b>\$8,334,625.74</b>	<b>\$3,586,885.88</b>	<b>75.55%</b>
<b>Public Health Trust Fund 4000-1101</b>					
	MGC Regulatory Costs	\$0.00	\$15,951.45	\$15,951.45	#DIV/0!
	Research and Responsible Gaming/PHTF	\$5,267,001.23	\$5,884,648.17	\$617,646.94	11.73%
	<b>Public Health Trust Fund Total</b>	<b>\$5,267,001.23</b>	<b>\$5,900,599.62</b>	<b>\$633,598.39</b>	<b>12.03%</b>
		<b>\$49,441,967.69</b>	<b>\$54,938,647.64</b>	<b>\$5,496,679.95</b>	<b>11.12%</b>

The Commission's Office of Finance developed a revised cost allocation method for charging the costs of staff that work across programs in racing, gaming, and/or sports wagering. The method used was to take the positions that work directly on racing, sports wagering, and gaming as a subset and then determine each fund's share of that subset. Those percentages were then applied to staff that are not directly assigned to a given fund. The distribution arrived at 65% to the gaming control fund, 28.5% to the sports wagering control fund, and 6.5% to the racing oversight and development fund. This same allocation was made because of the licensee meeting recommendation which shifts \$790K (28.5%) of lease and IT costs from gaming to sports wagering.



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In FY24, the MGC will continue allocating funds to each division/bureau and tracking contractual commitments, expenditures, and salaries, against each division/bureau budget. The Commission will be using the expense budget feature in the Massachusetts Management and Accounting Reporting System (MMARS) to establish these budgets and automate the process of tracking each budget to actual expenditures and commitments.

The following section of this memorandum is a summary by appropriation of spending anticipated for: the Gaming Control Fund, the Community Mitigation Fund, the Racing Oversight and Development Fund, The Sports Wagering Control Fund, and the Public Health Trust Fund. Immediately following each summary is a chart that demonstrates significant variances between FY23 and FY24 for each division/bureau. Attachment B to this document provides a view of each division's budget by object class, object code, and then specific budget item. This same information can be found in Attachment C, but the view is ordered first by object class, then object code, then division, and finally by specific budget item.

### **Gaming Control Fund Regulatory vs. Statutory Costs**

It is important to distinguish among the different components of the proposed budget for FY24 and understand the difference between regulatory and statutory costs. The composition of the Gaming Control Fund budget can be broken up into two areas. The first area comprises the regulatory costs of the Massachusetts Gaming Commission to regulate category 1 and 2 facilities. These regulatory costs are directly within control of the Gaming Commission. The second area comprises statutory costs that are assessments contained in the Expanded Gaming Act but are not within the budgetary discretion of the Gaming Commission. The statutory costs are the responsibility of our licensees to pay. Most of this memorandum focuses on the regulatory costs of the MGC. Below is a summary of the ~\$6.55M statutorily required costs:

- \$3.92M for the costs of the Attorney General's Office (C. 12 § 11M),
- \$75K for the Alcoholic Beverage Control Commission (C. 10 § 72A), and
- \$2.55M for Commonwealth of Massachusetts Assessed Indirect Costs (ANF Bulletin 5).

The Commission's regulatory FY24 budget projections total \$30.84M, and fund 10 divisions. The funding level of each division, along with the change from the previous year, is laid out in further detail later in this memorandum.

### **Gaming Control Fund 1050-0001**

The MGC's currently approved FY23 budget for the Gaming Control Fund is \$35.97M. The MGC is recommending an FY24 budget of \$37.39M, which is a 3.95% increase over the currently approved FY23 budget. The MGC's regulatory costs funded by the Gaming Control Fund increased by 4.17% from \$29.61M in FY23 to \$30.84M in FY24, the statutorily required costs increased by 2.94% from \$6.36M in FY23 to \$6.55M in FY24. The table below summarizes significant changes by regulatory vs statutorily required costs between fiscal years:



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Fund	Grouping Name	Object Class	object_class_name	Fiscal Year 2023	Fiscal Year 2024	Variance	% Variance	Variance Notes
<b>10500001 Mass. Gaming Commission</b>								
	MGC Regulatory Costs	AA	REGULAR EMPLOYEE COMPENSATION	\$8,110,391.80	\$8,404,231.09	\$293,839.29	3.62%	Revised cost allocation and 5% raises built in
		BB	REGULAR EMPLOYEE RELATED EXPEN	\$81,197.00	\$92,617.00	\$11,420.00	14.06%	Increase in travel expected
		CC	SPECIAL EMPLOYEES	\$248,022.52	\$176,800.00	-\$71,222.52	-28.72%	Decrease of one contract employee
		DD	PENSION & INSURANCE RELATED EX	\$3,251,570.03	\$3,593,376.75	\$341,806.72	10.51%	Fringe rates increase over 3%
		EE	ADMINISTRATIVE EXPENSES	\$634,974.92	\$683,354.92	\$48,380.00	7.62%	
		FF	FACILITY OPERATIONAL EXPENSES	\$20,000.00	\$20,000.00	\$0.00	0.00%	
		GG	ENERGY COSTS AND SPACE RENTAL	\$1,347,958.08	\$1,074,392.38	-\$273,565.70	-20.29%	Shift of building lease to sports wagering
		HH	CONSULTANT SVCS (TO DEPTS)	\$901,880.20	\$903,500.00	\$1,619.80	0.18%	
		JJ	OPERATIONAL SERVICES	\$10,510,400.56	\$11,391,530.56	\$881,130.00	8.38%	CBA increases for MSP as well as municipal officers in GEU
		KK	EQUIPMENT PURCHASE	\$62,000.00	\$62,000.00	\$0.00	0.00%	
		LL	EQUIPMENT LEASE- MAINTAIN/REPAR	\$41,707.90	\$47,807.90	\$6,100.00	14.63%	New leases for copiers
		NN	INFRASTRUCTURE:	\$25,000.00	\$30,000.00	\$5,000.00	20.00%	
		PP	STATE AID/POL SUB	\$150,000.00	\$150,000.00	\$0.00	0.00%	
		UU	IT Non-Payroll Expenses	\$4,222,914.03	\$4,213,112.43	-\$9,801.60	-0.23%	Shift of costs to sports wagering, reduction in LMS development and one time costs for move of CMS data center
	MGC Regulatory Costs Total			\$29,608,017.04	\$30,842,723.03	\$1,234,705.99	4.17%	

The MGC Regulatory portion of the Gaming Control Trust supports 10 divisions/bureaus. Each division's/bureau's costs of providing regulatory oversight to expanded gaming are built into the spending figures in the table below, which represents, at a macro level, the anticipated spending. This item funds ~87 FTEs and 3 contract positions. Overall regulatory spending increased by 4.17% from \$29.61M in FY23 to \$30.84 in FY24. Most of the increase came from union contract COLAs from the GEU and our own 5% recommendation for COLAs.

Below is a chart that compares each division by the currently approved FY23 budget and the proposed FY24 budget, for the Regulatory portion of the Gaming Control Fund, along with a brief explanation for any significant funding variances. Further details for budgets by each division are provided in attachments B and C:



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Fund Grouping Name	Unit	Unit Name	Fiscal Year 2023	Fiscal Year 2024	Variance	% Variance	Variance Notes
<b>10500001 Mass. Gaming Commission</b>							
MGC Regulatory Costs	1000	Finance and Administration	\$2,459,233.49	\$2,181,164.80	-\$278,068.69	-11.31%	Move of 28.5% of lease and energy costs to sports wagering
	1100	Human Resources	\$1,119,587.61	\$1,427,109.58	\$307,521.97	27.47%	5% COLA and annualization of hires
	1200	Legal	\$1,280,435.37	\$1,430,780.08	\$150,344.71	11.74%	Annualization of hires and new FTEs
	1300	Executive Director	\$660,461.04	\$490,746.66	-\$169,714.38	-25.70%	Revised cost allocation for salaries
	1400	Information Technology	\$5,485,898.26	\$5,765,141.71	\$279,243.45	5.09%	One-time costs of move of CMS data centers and annualization of salaries
	1500	Commissioners	\$1,355,391.94	\$986,036.02	-\$369,355.92	-27.25%	Revised cost allocation for salaries and reduction of central monitor expenses incurred in Q1 and Q2 of FY23
	1800	Communications	\$371,697.36	\$309,211.13	-\$62,486.23	-16.81%	Revised cost allocation for salaries.
	1900	Ombudsman	\$147,806.91	\$170,091.23	\$22,284.32	15.08%	Annualization of salaries
	5000	Investigations and Enforcement Bureau	\$16,170,826.52	\$17,606,633.09	\$1,435,806.57	8.88%	CBA increases for GEU
	7000	Licensing Division	\$872,208.17	\$986,143.73	\$113,935.56	13.06%	Annualization of backfills
	All	All Divisions	-\$315,529.63	-\$510,335.00	-\$194,805.37	61.74%	Higher turnover as a percentage of full-time salaries.
MGC Regulatory Costs			\$29,608,017.04	\$30,842,723.03	\$1,234,705.99	4.17%	

### Racing Development and Oversight Trust Fund 1050-0003

This item funds the operations of the Racing division. Most of the funding from this appropriation is payroll, seasonal payroll, and fringe related costs. Costs of the division are payroll (seasonal and full time), fringe costs, drug and laboratory testing, ISA to DPH, and purchased client services for economic hardship payments, eighth pole payments, and the jockey guild. In addition, the costs of the Massachusetts State Police associated with regulating racing is charged to this item, as are the salaries of staff that work on racing matters at the MGC, and the Commonwealth assessed indirect costs.

Below is a chart that compares the currently approved FY23 budget and the proposed FY24 budget for the Racing Oversight and Development Fund, along with a brief explanation for any large variances. Further details for budgets by each division are provided in attachments B and C:



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Fund Grouping Name	Unit	Unit Name	Fiscal Year 2023	Fiscal Year 2024	Variance	% Variance	Variance Notes
<b>10500003 MGC Mass Racing Development and Oversight Trust</b>							
MGC Regulatory Costs	1000	Finance and Administration	\$296,796.17	\$149,542.15	-\$147,254.02	-49.61%	Revised cost allocation for salaries
	1100	Human Resources	\$150,072.13	\$82,116.34	-\$67,955.79	-45.28%	Revised cost allocation for salaries
	1200	Legal	\$50,600.30	\$83,153.37	\$32,553.07	64.33%	Revised cost allocation for salaries
	1300	Executive Director	\$39,969.63	\$45,672.34	\$5,702.71	14.27%	Revised cost allocation for salaries
	1400	Information Technology	\$279,588.03	\$145,078.45	-\$134,509.58	-48.11%	Revised cost allocation for salaries
	1500	Commissioners	\$91,988.74	\$86,874.37	-\$5,114.37	-5.56%	Revised cost allocation for salaries
	1800	Communications	\$25,310.37	\$20,997.24	-\$4,313.13	-17.04%	Revised cost allocation for salaries
	3000	Racing Division	\$1,959,451.41	\$2,026,000.29	\$66,548.88	3.40%	COLAs for FY24
	5000	Investigations and Enforcement Bureau	\$0.00	\$75,795.15	\$75,795.15	#DIV/0!	Revised cost allocation for salaries
	7000	Licensing Division	\$4,847.66	\$6,886.25	\$2,038.59	42.05%	Revised cost allocation for salaries
MGC Regulatory Costs			\$2,898,624.44	\$2,722,115.95	-\$176,508.49	-6.09%	
Indirect	2000	MGC Indirect	\$209,178.18	\$204,504.23	-\$4,673.95	-2.23%	10% of AA,CC,HH,JJ, and UU
Indirect Total			\$209,178.18	\$204,504.23	-\$4,673.95	-2.23%	
<b>MGC Mass Racing Development and Oversight Trust Total</b>			<b>\$3,107,802.62</b>	<b>\$2,926,620.18</b>	<b>-\$181,182.44</b>	<b>-5.83%</b>	

### Community Mitigation Fund 1050-0004

205 CMR 153.05 allows the Commission to expend funds for the administration and oversight of the Community Mitigation grant program. The regulation requires the Commission to annually approve a budget not to exceed 10% of the funds available in the account for the fiscal year. The proposed budget, as shown in the chart below, would fund 2 FTEs, in-state travel for subrecipient monitoring purposes, and the maintenance of a grant management database.

Fund Grouping Name	Object Class	object_class_name	Fiscal Year 2023	Fiscal Year 2024	Variance	% Variance	Variance Notes
<b>10500004 Community Mitigation</b>							
MGC Regulatory Costs	AA	REGULAR EMPLOYEE COMPENSATION	\$170,463.12	\$213,962.43	\$43,499.31	25.52%	COLA adjustments
	BB	REGULAR EMPLOYEE RELATED EXPEN	\$5,000.00	\$5,000.00	\$0.00	0.00%	
	DD	PENSION & INSURANCE RELATED EX	\$71,407.00	\$93,552.53	\$22,145.53	31.01%	Fringe rates increase over 3%
	EE	ADMINISTRATIVE EXPENSES	\$20,687.22	\$22,877.37	\$2,190.15	10.59%	
	GG	ENERGY COSTS AND SPACE RENTAL	\$2,500.00	\$0.00	-\$2,500.00	-100.00%	
	UU	IT Non-Payroll Expenses	\$80,000.00	\$50,000.00	-\$30,000.00	-37.50%	One-time development costs decreased
MGC Regulatory Costs			\$350,057.34	\$385,392.33	\$35,334.99	10.09%	
<b>Community Mitigation Total</b>			<b>\$350,057.34</b>	<b>\$385,392.33</b>	<b>\$35,334.99</b>	<b>10.09%</b>	

### Sports Wagering Control Fund 1050-1384

In August of 2022 the MA Legislature and Governor approved a bill that legalized sports betting in the Commonwealth. The Gaming Commission was designated as the regulator. Included in that bill was a sports wagering control fund to provide a means for the Commission to spend money on regulating the industry. The Commission approved an FY23 sports wagering budget of \$4.75M which funded the initial suitability reviews, consulting, and outside counsel assistance to help stand up the regulatory structure of sports wagering, as well as some dedicated IT, Finance, Legal, Licensing, IEB and Sports Wagering Division positions. In FY24 staff are recommending a budget of \$8.33M, which represents a 75.55% increase. The majority of the increase is composed of the annualization of salaries approved for part of FY23, new positions to continue to help regulate sports wagering, as



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well as allocation of lease costs, IT costs and support position salaries. The table below shows the changes from FY23 to FY24 by spending category.

Fund Grouping Name	Object Class	object_class_name	Fiscal Year 2023	Fiscal Year 2024	Variance	% Variance	Variance Notes
<b>10501384 Sports Wagering Control Fund</b>							
MGC Regulatory Costs	AA	REGULAR EMPLOYEE COMPENSATION	\$794,970.78	\$3,536,373.82	\$2,741,403.04	344.84%	Annualization of FY23 hires and allocation of shared costs.
	BB	REGULAR EMPLOYEE RELATED EXPEN	\$0.00	\$7,000.00	\$7,000.00	#DIV/0!	Travel for the sports wagering division.
	CC	SPECIAL EMPLOYEES	\$393,600.00	\$147,600.00	-\$246,000.00	-62.50%	Reduction from anticipated 6 contracted assistance to 3.
	DD	PENSION & INSURANCE RELATED EX	\$336,002.00	\$1,546,946.34	\$1,210,944.34	360.40%	Annualization of salary
	EE	ADMINISTRATIVE EXPENSES	\$0.00	\$34,500.00	\$34,500.00	#DIV/0!	Training and Travel
	GG	ENERGY COSTS AND SPACE RENTAL	\$0.00	\$393,114.12	\$393,114.12	#DIV/0!	Allocation of 28.5% of lease and utilities.
	HH	CONSULTANT SVCS (TO DEPTS)	\$2,080,000.00	\$950,000.00	-\$1,130,000.00	-54.33%	Decrease in outside counsel and consulting reliance.
	JJ	OPERATIONAL SERVICES	\$0.00	\$541,519.27	\$541,519.27	#DIV/0!	Addition of GEU MSP staffing for sports wagering.
	UU	IT Non-Payroll Expenses	\$520,000.00	\$724,926.94	\$204,926.94	39.41%	Allocation of shared IT costs.
MGC Regulatory Costs			\$4,124,572.78	\$7,881,980.49	\$3,757,407.71	91.10%	
Indirect	EE	ADMINISTRATIVE EXPENSES	\$401,067.08	\$440,545.25	\$39,478.17	9.84%	10% of AA, CC, HH, JJ, and UU
Indirect Total			\$401,067.08	\$440,545.25	\$39,478.17	9.84%	
Research and Responsible Gaming/PHTF	HH	CONSULTANT SVCS (TO DEPTS)	\$150,000.00	\$0.00	-\$150,000.00	-100.00%	Decrease for legislatively required study budgeted in FY23.
	UU	IT Non-Payroll Expenses	\$72,100.00	\$12,100.00	-\$60,000.00	-83.22%	Decrease for development of VSE database to include sports wagering that was completed in FY23.
Research and Responsible Gaming/PHTF Total			\$222,100.00	\$12,100.00	-\$210,000.00	-94.55%	
<b>Sports Wagering Control Fund Total</b>			<b>\$4,747,739.86</b>	<b>\$8,334,625.74</b>	<b>\$3,586,885.88</b>	<b>75.55%</b>	

### Public Health Trust Fund 4000-1101

The Research and Responsible Gaming (RRG) office is a statutorily required component of the MGC and was funded from the Public Health Trust Fund, beginning in FY20. Through a collaborative process with DPH and EOHHs, the MGC's RRG division will continue to be funded from the PHTF in FY24. Funding for the office has been increased by 12.03% from an approved FY23 budget of \$5.27 M to an FY24 proposal of \$5.9M, with most of the increases restoring cuts to the Game Sense program and funding a follow-up research project to the baseline study. Below is a chart comparing FY23 to the FY24 proposal.

Fund Grouping Name	Object Class	object_class_name	Fiscal Year 2023	Fiscal Year 2024	Variance	% Variance	Variance Notes
<b>40001101 Public Health Trust Fund</b>							
MGC Regulatory Costs	AA	REGULAR EMPLOYEE COMPENSATION	\$0.00	\$15,951.45	\$15,951.45	#DIV/0!	COLA adjustments
MGC Regulatory Costs			\$0.00	\$15,951.45	\$15,951.45	#DIV/0!	
Research and Responsible Gaming/PHTF	AA	REGULAR EMPLOYEE COMPENSATION	\$313,023.39	\$319,029.04	\$6,005.65	1.92%	
	BB	REGULAR EMPLOYEE RELATED EX	\$7,250.00	\$7,250.00	\$0.00	0.00%	
	DD	PENSION & INSURANCE RELATED EX	\$131,125.50	\$146,466.23	\$15,340.73	11.70%	Fringe rates increase over 3%
	EE	ADMINISTRATIVE EXPENSES	\$352,602.34	\$420,902.90	\$68,300.56	19.37%	Indirect costs increase due to increase in responsible gaming programming in HH
	FF	FACILITY OPERATIONAL	\$0.00	\$1,000.00	\$1,000.00	#DIV/0!	
	HH	CONSULTANT SVCS (TO DEPTS)	\$3,091,000.00	\$3,655,000.00	\$564,000.00	18.25%	Addition of sports wagering and increase to responsible gaming programming
	JJ	OPERATIONAL SERVICES	\$10,000.00	\$15,000.00	\$5,000.00	50.00%	
	PP	STATE AID/POL SUB	\$1,360,000.00	\$1,320,000.00	-\$40,000.00	-2.94%	Decrease to research agenda
	UU	IT Non-Payroll Expenses	\$2,000.00	\$0.00	-\$2,000.00	-100.00%	
Research and Responsible Gaming/PHTF Total			\$5,267,001.23	\$5,884,648.17	\$617,646.94	11.73%	
<b>Public Health Trust Fund Total</b>			<b>\$5,267,001.23</b>	<b>\$5,900,599.62</b>	<b>\$633,598.39</b>	<b>12.03%</b>	



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### **Exposures in the FY24 Budget Proposal**

FY24 was another challenging budget to develop. While the Commission has established the majority of the framework for regulating sports wagering, we are still working through many of the day-to-day elements of being a mature and robust sports wagering regulator. The FY24 budget does have the recurring gaming exposures, as well as some new sports wagering exposures. The following are a brief list of exposures:

- Funded the minimum required by our insurance policy for litigation costs in the legal budget.
- Funded MSP overtime at consistent levels and only increased for the CBA rate adjustments.
- Everett PD requested a substantial increase to their GEU budget and we only funded a portion of that, as the GEU works through ways to limit potential exposures of providing public safety coverage at EBH.
- Funded only 3 months of consulting support for sports wagering.
- Included only \$750K in outside CPA assistance for reviewing vendor and sports wagering licensee suitability.
- Did not include funding for the second legislatively mandated report from the sports wagering legislation.

### **Assessments on Licensees**

#### Gaming Control Fund Assessment:

Chapter 23K §56 (a)-(c) defines how the MGC will fund its annual costs related to regulating gaming activities. This chapter was further defined through 205 CMR 121.00. Section 56 (a) requires that the Commission assess a \$600 per machine fee to each licensee for every slot machine approved to be used in the facility on July 1. Staff would then combine the slot fees with any other fees we were projecting to generate in the fiscal year (primarily licensing fees) to determine the total fee revenue for the Gaming Control Fund. Section 56 (c) directs the Commission to determine the difference between the projected budget and the projected fees and assess that difference on licensees in proportion to each licensee's share of the total gaming positions.

The finance staff is currently working with licensees to determine the anticipated number of slot machines per licensee, so that we can come back to the Commission on June 29<sup>th</sup> with a close estimate of what revenues will be for the per machine slot fees. That will determine the assessment number that will be divided among the three gaming licensees. Any adjustments for actual slot machine and gaming position counts will be updated in staff's first FY24 quarterly update to the Commission.

#### Public Health Trust Fund Assessment from Gaming Operators:

C. 23K Section 56 (e) requires the Commission to annually assess a minimum of \$5M on licensees to be deposited into the Public Health Trust Fund, in the same proportion as the annual assessment for the Gaming Control Fund. Staff will provide the proposed distribution of this assessment along with the assessment on gaming licensees on June 29<sup>th</sup>.

#### Sports Wagering Control Fund Assessment:

205 CMR 221.00 describes how the Commission shall assess its operational costs on Sports Wagering licensees, including any increases or decreases that are the result of over or under-spending. 205 CMR 221.01, paragraph 4(a) specifically states:

- (a) An Annual Assessment as provided by M.G.L. c. 23N, § 15(c), to be determined by the Commission and calculated in accordance with M.G.L. c. 23N, § 15(c) to cover costs of the Commission necessary to maintain control over Sports Wagering, in proportion to each



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licensees' actual or projected Adjusted Gross Sports Wagering receipts; provided, however, that such assessment may be adjusted by the Commission at any time after payment is made where required to reflect the actual Adjusted Gross Sports Wagering Receipts, and accordingly, the payment of additional funds may be required or a credit may be issued towards the payment due the following year;

For the purposes of the FY24 assessment, we recommend using the actual adjusted gross wagering receipt (AGSWR) figures of licensees from implementation to the end of May 2023. This will allow the Commission to assess costs and begin regulating sports wagering in FY24, and then revise for actual performance through June 30th (the end of the state fiscal year) when staff provides its first FY24 quarterly update to the Commission. There are two operators that we do not expect to begin operations in FY23; therefore, we recommend they pay the same percentage of the assessment as the operator that generated the lowest AGSWR in FY23.

We are estimating spending of \$8.33M and revenue from fees of \$955K, which would result in an assessment of \$7.38M to be divided between the 13 sports wagering licensees. We are unable to provide a table laying out each operator's share of the assessment until the meeting on June 29<sup>th</sup>, as we do not release AGSWR for May until June 15<sup>th</sup>.

Public Health Trust Fund Assessment from Sports Wagering Operators:

C. 23N Section 15(e) requires the Commission to annually assess \$1M on sports wagering to be deposited into the Public Health Trust Fund. This \$1M fee is to be distributed proportionately across all sports wagering licensees who are not issued a category 1 sports wagering license. 205 CMR 221.01, paragraph 4(b) specifically states:

- (a) An annual fee, as provided by M.G.L. c. 23N, § 15(e) reflecting each Operator that is not a Category 1 Sports Wagering Licensee's share of \$1,000,000 to be deposited into the Public Health Trust Fund; provided, however, that the Commission shall determine each Operator's share as their proportional share of anticipated or actual Adjusted Gross Sports Wagering Receipts; provided further, however, that such assessment may be adjusted by the Commission at any time after payment is made where required to reflect the actual adjusted gross sports wagering revenue;

Based on the above regulatory requirements, as well as our recommendation for the annual assessment to the Sports Wagering Control Fund, we will use the licensees' AGSWR from inception through May to determine each licensee's proportional share of the annual \$1M deposit to the Public Health Trust Fund. This assessment will be distributed across the 10 licensees who are not category 1 sports wagering license holders. We are unable to provide a table laying out each operator's share of the assessment until the meeting on June 29<sup>th</sup>, as we do not release AGSWR for May until June 15<sup>th</sup>.

### **Conclusion**

We are proposing an FY24 Gaming Control Fund budget of \$37.39M, a Research and Responsible Gaming budget funded from the Public Health Trust Fund of \$5.9M, a Community Mitigation Fund administration and oversight budget of \$385.39K, a Sports Wagering Control Fund budget of \$8.33M and Racing Oversight and Development Fund budget of \$2.93M. We recommend posting the budget documents for public comment and then reconvening on June 29<sup>th</sup> to adjust or approve the budget based on any discussion today or comments received from the public.

Attachments:

Attachment A: FY24 Listing of Accounts Spending and Revenue



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Attachment B: Next Year Budget All Departments for Commission  
Attachment C: Next Year Budget by Object Class for Commission



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Attachment A: FY24 Spending and Revenue

Spending		Initial Projection
<b>10500001--Gaming Control Fund</b>		
<b>MGC Regulatory Cost</b>		
AA REGULAR EMPLOYEE COMPENSATION	\$	8,404,231.09
BB REGULAR EMPLOYEE RELATED EXPEN	\$	92,617.00
CC SPECIAL EMPLOYEES	\$	176,800.00
DD PENSION & INSURANCE RELATED EX	\$	3,593,376.75
EE ADMINISTRATIVE EXPENSES	\$	683,354.92
FF PROGRAM, FACILITY, OPERATIONAL SUPPIES	\$	20,000.00
GG ENERGY COSTS AND SPACE RENTAL	\$	1,074,392.38
HH CONSULTANT SVCS (TO DEPTS)	\$	903,500.00
JJ OPERATIONAL SERVICES	\$	11,391,530.56
KK Equipment Purchase	\$	62,000.00
LL EQUIPMENT LEASE-MAINTAIN/REPAR	\$	47,807.90
NN NON-MAJOR FACILITY MAINTENANCE REPAIR	\$	30,000.00
PP STATE AID/POL SUB/OSD	\$	150,000.00
TT PAYMENTS & REFUNDS	\$	-
UU IT Non-Payroll Expenses	\$	4,213,112.43
<b>MGC Regulatory Cost Subtotal:</b>	<b>\$</b>	<b>30,842,723.03</b>
-		
<b>EE--Indirect Costs</b>	<b>\$</b>	<b>2,549,564.19</b>
<b>Office of Attorney General</b>		
ISA to AGO	\$	996,738.55
TT Reimbursement for AGO 0810-1024	\$	-
AGO State Police	\$	2,927,384.00
<b>Office of Attorney General Subtotal:</b>	<b>\$</b>	<b>3,924,122.55</b>
<b>ISA to ABCC</b>	<b>\$</b>	<b>75,000.00</b>
<b>Gaming Control Fund Total Costs</b>	<b>\$</b>	<b>37,391,409.77</b>
Revenues		Initial Projection
Gaming Control Fund Beginning Balance 0500	\$	-
EBH Security Fees 0500	\$	50,000.00
IEB Background/Investigative Collections 3000	\$	250,000.00
Category/Region Collection Fees 0500	\$	-
Current Year Independent Monitor Fees	\$	-
Prior Year Independent Monitor Fees	\$	-
Phase 1 Refunds 0500	\$	-
Phase 2 Category 1 Collections (restricted) 0500	\$	-
Region C Phase 1 Investigation Collections 0500	\$	-
Region C Phase 2 Category 1 Collections 0500	\$	-
Grant Collections (restricted) 0500	\$	-
Region A slot Machine Fee 0500 (2500 slots)	\$	-
Region B Slot Machine Fee 0500 (1500 slots)	\$	-
Slots Parlor Slot Machine Fee 0500 (1000 slots)	\$	-
Gaming Employee License Fees (GEL) 3000	\$	300,000.00



Attachment A: FY24 Spending and Revenue

Key Gaming Executive (GKE) 3000	\$	10,000.00
Key Gaming Employee (GKS) 3000	\$	80,000.00
Non-Gaming Vendor (NGV) 3000	\$	50,000.00
Vendor Gaming Primary (VGP) 3000	\$	30,000.00
Vendor Gaming Secondary (VGS) 3000	\$	-
Gaming School License (GSB)	\$	-
Gaming Service Employee License (SER) 3000	\$	75,000.00
Subcontractor (SUB) Liquor (liq) 3000	\$	15,000.00
Temporary License Initial License (TEM) 3000	\$	10,000.00
Assessment for PHTF	\$	5,000,000.00
Transfer PHTF Assessment to PHTF	\$	(5,000,000.00)
Veterans Initial License (VET) 3000	\$	-
Transfer of Licensing Fees to CMF 0500	\$	-
Assessment 0500	\$	-
Misc/MCC Grant	\$	-
Miscellaneous 0500	\$	5,000.00
Bank Interest 2700	\$	3,000.00
<b>Grand Total</b>	<b>\$</b>	<b>878,000.00</b>

Spending	Initial Projection
<b>1050003 Racing Oversight and Development Fund</b>	
AA REGULAR EMPLOYEE COMPENSATION	\$ 809,452.63
BB REGULAR EMPLOYEE RELATED EXPEN	\$ 13,000.00
CC SPECIAL EMPLOYEES	\$ 487,240.00
DD PENSION & INSURANCE RELATED EX	\$ 352,245.95
EE ADMINISTRATIVE EXPENSES	\$ 42,385.00
FF PROGRAMMATIC FACILITY OPERATONAL SUPPLIES	\$ 42,000.00
HH CONSULTANT SVCS (TO DEPTS)	\$ 25,000.00
JJ OPERATIONAL SERVICES	\$ 784,877.37
KK EQUIPMENT PURCHASES	\$ -
LL EQUIPMENT LEASE-MAINTAIN/REPAR	\$ 915.00
MM PURCHASED CLIENT/PROGRAM SVCS	\$ 155,000.00
NN INFRASTRUCTURE:	\$ -
TT LOANS AND SPECIAL PAYMENTS	\$ -
UU IT Non-Payroll Expenses	\$ 10,000.00
EE --Indirect Costs	\$ 204,504.23
ISA to DPH	
<b>Grand Total</b>	<b>\$ 2,926,620.18</b>

Revenues	Initial Projection
Racing Oversight and Development Balance Forward 0131	\$ -
Plainridge Assessment 4800	\$ 60,000.00
Plainridge Daily License Fee 3003	\$ 109,500.00
Plainridge Occupational License 3003/3004	\$ 50,000.00
Plainridge Racing Development Oversight Live 0131	\$ 25,000.00



Attachment A: FY24 Spending and Revenue

Plainridge Racing Development Oversight Simulcast 0131	\$	100,000.00
Raynham Assessment 4800	\$	55,000.00
Raynham Daily License Fee 3003	\$	92,700.00
Raynham Racing Development Oversight Simulcast 0131	\$	75,000.00
Suffolk Assessment 4800	\$	640,000.00
Suffolk Commission Racing Development Oversight Simulcast 0131	\$	20,000.00
Suffolk Daily License Fee 3003	\$	72,600.00
Suffolk Occupational License 3003/3004	\$	-
Suffolk Racing Development Oversight Live 0131	\$	-
Suffolk TVG Commission Live 0131	\$	-
Suffolk TVG Commission Simulcast 0131	\$	420,000.00
Suffolk Twin Spires Commission Live 0131	\$	-
Suffolk Twin Spires Commission Simulcast 0131	\$	200,000.00
Suffolk Xpress Bet Commission Live 0131	\$	-
Suffolk Xpress Bet Commission Simulcast 0131	\$	50,000.00
Suffolk NYRA Bet Commission Live 0131	\$	-
Suffolk NYRA Bet Commission Simulcast 0131	\$	100,000.00
Transfer to General Fund 10500140 0000	\$	-
Wonderland Assessment 4800	\$	-
Wonderland Daily License Fee 3003	\$	-
Wonderland Racing Development Oversight Simulcast 0131	\$	2,000.00
Plainridge fine 2700	\$	25,000.00
Suffolk Fine 2700	\$	-
Plainridge Unclaimed wagers 5009	\$	-
Suffolk Unclaimed wagers 5009	\$	-
Raynham Unclaimed wagers 5009	\$	-
Wonderland Unclaimed wagers 5009	\$	-
Misc/Bank Interest 0131	\$	750.00
<b>Grand Total</b>		<b>\$2,097,550.00</b>

	Spending	Initial Projection
<b>10500004 Community Mitigation Fund</b>		
AA REGULAR EMPLOYEE COMPENSATION	\$	213,962.43
BB REGULAR EMPLOYEE RELATED EXPEN	\$	5,000.00
DD PENSION & INSURANCE RELATED EX	\$	93,552.53
EE ADMINISTRATIVE EXPENSES	\$	22,877.37
GG ENERGY COSTS AND SPACE RENTAL	\$	-
JJ OPERATIONAL SERVICES	\$	-
PP STATE AID/GRANTS	\$	-
UU IT Non-Payroll Expenses	\$	50,000.00
<b>Grand Total</b>	<b>\$</b>	<b>385,392.33</b>

Attachment A: FY24 Spending and Revenue

Spending		Initial Projection
<b>10501384 Sports Wagering Control Fund</b>		
AA REGULAR EMPLOYEE COMPENSATION	\$	3,536,373.82
BB REGULAR EMPLOYEE RELATED EXPEN	\$	7,000.00
CC SPECIAL EMPLOYEES	\$	147,600.00
DD PENSION & INSURANCE RELATED EX	\$	1,546,946.34
EE ADMINISTRATIVE EXPENSES	\$	34,500.00
GG ENERGY COSTS AND SPACE RENTAL	\$	393,114.12
HH CONSULTANT SVCS (TO DEPTS)	\$	950,000.00
JJ OPERATIONAL SERVICES	\$	541,519.27
UU IT Non-Payroll Expenses	\$	724,926.94
<b>Regulatory Costs Subtotal</b>	<b>\$</b>	<b>7,881,980.49</b>
<b>EE Indirect</b>	<b>\$</b>	<b>440,545.25</b>
<b>UU Research and Responsible Gaming</b>	<b>\$</b>	<b>12,100.00</b>
<b>Grand Total</b>	<b>\$</b>	<b>8,334,625.74</b>
Revenues		Initial Projection
Category 1 applications and fees 3000	\$	-
Category 2 applications and fees 3000	\$	-
Category 3 applications and fees 3000	\$	-
IEB background fees 3000	\$	200,000.00
Assessment fees 0500	\$	7,379,625.74
Vendor fees 3000	\$	400,000.00
Licensing registrant fees 3000	\$	300,000.00
Fines and penalties 2700	\$	-
Misc. 0500	\$	50,000.00
Bank Interesr 2100	\$	5,000.00
<b>TOTAL</b>		<b>8,334,625.74</b>

Spending		Initial Projection
<b>4000-1101 Research and Responsible Gaming/Public Health Trust Fund</b>		
AA REGULAR EMPLOYEE COMPENSATION	\$	334,980.49
BB REGULAR EMPLOYEE RELATED EXPEN	\$	7,250.00
DD PENSION & INSURANCE RELATED EX	\$	146,466.23
EE ADMINISTRATIVE EXPENSES	\$	420,902.90
FF PROGRAMMATIC FACILITY OPERATONAL SUPPLIES	\$	1,000.00
HH CONSULTANT SVCS (TO DEPTS)	\$	3,655,000.00
JJ OPERATIONAL SERVICES	\$	15,000.00
PP STATE AID/POL SUB	\$	1,320,000.00
UU IT Non-Payroll Expenses	\$	-
ISA to DPH	\$	-
<b>Research and Responsible Gaming/Public Health Trust Fund Total:</b>	<b>\$</b>	<b>5,900,599.62</b>

# Next Year Budget All Departments for Commission

Approp	Budget Grouping	Division/ Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1000	Finance and Administration							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Employee Salaries	\$441,410.91	\$493,065.26	\$51,654.35	11.70%
			<b>Obj Class Totals:</b>				<b>\$441,410.91</b>	<b>\$493,065.26</b>	<b>\$51,654.35</b>	<b>11.70%</b>
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI		Travel	Out of State Travel	\$1,500.00	\$3,000.00	\$1,500.00	100.00%
		B02	In-State Travel		Travel	In-State Travel	\$1,330.00	\$3,000.00	\$1,670.00	125.56%
			<b>Obj Class Totals:</b>				<b>\$2,830.00</b>	<b>\$6,000.00</b>	<b>\$3,170.00</b>	<b>112.01%</b>
		CC	SPECIAL EMPLOYEES							
		C23	Management, Business Professionals & Admin Services		Contract Employee	Administrative Help 960	\$43,022.52	\$0.00	(\$43,022.52)	-100.00%
			<b>Obj Class Totals:</b>				<b>\$43,022.52</b>	<b>\$0.00</b>	<b>(\$43,022.52)</b>	<b>-100.00%</b>
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe rate of 43.36%	\$176,564.37	\$214,286.16	\$37,721.79	21.36%
					Taxes	Tax rate of 2.45%	\$9,155.79	\$12,080.10	\$2,924.31	31.94%
			<b>Obj Class Totals:</b>				<b>\$185,720.16</b>	<b>\$226,366.26</b>	<b>\$40,646.10</b>	<b>21.89%</b>
		EE	ADMINISTRATIVE EXPENSES							
		E01	Office & Administrative Supplies		Supplies	Adoni Spring Water/Milhench	\$4,000.00	\$4,000.00	\$0.00	0.00%
					Supplies	Cam Office Supplies	\$9,500.00	\$9,500.00	\$0.00	0.00%
					Supplies	W.B. Mason/Veteran's Business Supply	\$40,000.00	\$40,000.00	\$0.00	0.00%
		E02	Printing Expenses & Supplies		Printing	Millenium/RazzMTazz/MG Products	\$2,500.00	\$2,500.00	\$0.00	0.00%
		E05	Postage Chargeback		Postage	ITD PAD Chargeback for postal Services	\$2,743.92	\$2,743.92	\$0.00	0.00%
		E06	Postage		Postage	Postage for Ashburton Mail Room	\$2,400.00	\$2,400.00	\$0.00	0.00%
					Postage	Postage for Pitney Bowes, Fed Ex, UPS	\$3,000.00	\$3,000.00	\$0.00	0.00%
		E12	Subscriptions, Memberships & Licensing Fees		Subscriptions	Go To Meeting	\$0.00	\$0.00	\$0.00	#Num!
		E15	Bottled Water		Water	Quench	\$1,500.00	\$1,500.00	\$0.00	0.00%
		E18	State Single Audit Chargeback		Chargeback	Chargeback Single State Audit	\$500.00	\$500.00	\$0.00	0.00%
		E19	Fees, Fines, Licenses, Permits & Chargebacks		Fees, Fines, Licensed, Chargebakcs	EZ Pass/Occupancy/Commissions	\$1,700.00	\$1,700.00	\$0.00	0.00%
		E20	Motor Vehicle Chargeback		OVM	Motorized Vehicle Chargeback--Lease of ford fusion	\$0.00	\$0.00	\$0.00	#Num!
		E22	Temp Use Space/Confer-Incidental Includes Reservation Fees		Laz Parking/VPNE	Parking at 33 Arch St.	\$54,000.00	\$54,000.00	\$0.00	0.00%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1000	Finance and Administration							
		E30	Credit Card Purchases		Credit Card	Credit Card Incidental Purchases	\$2,000.00	\$2,000.00	\$0.00	0.00%
		E41	Out Of State Travel Expen on Behalf of State Employ		Travel	Travel Agency Fees	\$2,500.00	\$2,500.00	\$0.00	0.00%
		EE2	Conference, Training and Registration Fees		Conference Registrations	Registration Fees	\$1,125.00	\$1,125.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$127,468.92</b>	<b>\$127,468.92</b>	<b>\$0.00</b>	<b>0.00%</b>
		GG	ENERGY COSTS AND SPACE RENTAL							
		G01	Space Rental		Office Lease	101 Federal St. 12 months	\$1,312,322.64	\$949,257.12	(\$363,065.52)	-27.67%
		G03	Electricity		Electricity	101 Federal St. 12 months	\$32,635.44	\$23,334.34	(\$9,301.10)	-28.50%
		G05	Fuel For Vehicles		Gas	Wex Bank/Gulf	\$3,000.00	\$3,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$1,347,958.08</b>	<b>\$975,591.46</b>	<b>(\$372,366.62)</b>	<b>-27.62%</b>
		HH	CONSULTANT SVCS (TO DEPTS)							
		H09	Attorneys/Legal Services		Insurance	Comprehensive Insurance Policy	\$163,500.00	\$163,500.00	\$0.00	0.00%
		H19	Management Consultants		Outside Consultant	CPA Firm for Annual Audits consistent with Generally Accepted Auditing Standards	\$70,000.00	\$70,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$233,500.00</b>	<b>\$233,500.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		JJ	OPERATIONAL SERVICES							
		J10	Auxiliary Financial Services		Auxiliary Financial Services	Credit Card Fees/BillMatrix	\$200.00	\$200.00	\$0.00	0.00%
		JJ2	Auxiliary Services		Courier	USA Couriers	\$300.00	\$300.00	\$0.00	0.00%
					Shredding	ProShred	\$1,615.00	\$1,615.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$2,115.00</b>	<b>\$2,115.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		LL	EQUIPMENT LEASE-MAINTAIN/REPAR							
		L24	Motorized Vehicle Equipment Rental or Lease		Rental Cars	Enterprise Car Rental	\$500.00	\$500.00	\$0.00	0.00%
		L25	Office Equipment Rental or Lease		Printing	Pitney Bowes	\$607.90	\$607.90	\$0.00	0.00%
		L26	Printing/Photocopy & Micrographics Equip Rent/Lease		Copier	Canon Financial Services Recurring Payments for 13th floor and IEB Per Click costs of \$2.5K	\$10,100.00	\$10,100.00	\$0.00	0.00%
		L46	Print, Photocopying & Micrograph Equipment Maint/Repair		Copier	Canon USA/Maintenance & Repair--Initial Contract Rate Ended	\$5,000.00	\$5,000.00	\$0.00	0.00%
					Xerox Leases	6 Machines average \$300 per month Xerox Leases Recurring Payments of \$11.1K for 3 machines Per Click costs of \$3.2K (avg of this year)	\$15,500.00	\$21,600.00	\$6,100.00	39.35%
			<b>Obj Class Totals:</b>				<b>\$31,707.90</b>	<b>\$37,807.90</b>	<b>\$6,100.00</b>	<b>19.24%</b>
		NN	INFRASTRUCTURE:							
		N50	Non-Major Facility Infrastructure Maintenance and Repair		Repairs	Office/Building Repairs	\$5,000.00	\$5,000.00	\$0.00	0.00%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1000	Finance and Administration							
			<b>Obj Class Totals:</b>				\$5,000.00	\$5,000.00	\$0.00	0.00%
		UU	IT Non-Payroll Expenses							
		U03	Software & Information Technology Licenses (IT)	Software	Software	Software - LinkSquares CLM	\$0.00	\$35,750.00	\$35,750.00	#Div/0!
		U05	Information Technology (IT) Temp Staff Augmentation Profs	IT Consultants	IT Consultants	Diversity Consultants	\$25,000.00	\$25,000.00	\$0.00	0.00%
				IT Consultants	IT Consultants	Web penetration Testing	\$8,000.00	\$8,000.00	\$0.00	0.00%
		U10	Information Tech (IT) Equipment Maintenance & Repair	Cable	Cable	Cable/Comcast	\$5,500.00	\$5,500.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				\$38,500.00	\$74,250.00	\$35,750.00	92.86%
			<b>Division/Bureau Totals:</b>				\$2,459,233.49	\$2,181,164.80	(\$278,068.69)	-11.31%
		1100	Human Resources							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive	Employee Compensation	Employee Compensation	Employee Salaries	\$358,979.39	\$411,669.92	\$52,690.53	14.68%
						Raises	\$231,746.75	\$373,232.00	\$141,485.25	61.05%
		A13	Vacation-In-Lieu	Employee Compensation	Employee Compensation	Buyouts	\$40,000.00	\$0.00	(\$40,000.00)	-100.00%
			<b>Obj Class Totals:</b>				\$630,726.14	\$784,901.92	\$154,175.78	24.44%
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	Travel	Travel	Other Out of State Travel-Inclusive Airfare, Hotel, Lodging Gaming Conference	\$500.00	\$500.00	\$0.00	0.00%
		B02	In-State Travel	Travel	Travel	In State Travel	\$1,995.00	\$0.00	(\$1,995.00)	-100.00%
				Travel	Travel	In-state Travel AOC as well as site visits of licensees	\$3,990.00	\$5,985.00	\$1,995.00	50.00%
			<b>Obj Class Totals:</b>				\$6,485.00	\$6,485.00	\$0.00	0.00%
		CC	SPECIAL EMPLOYEES							
		C23	Management, Business Professionals & Admin Services	Contract Employee	Contract Employee	Administrative Help	\$0.00	\$52,000.00	\$52,000.00	#Div/0!
			<b>Obj Class Totals:</b>				\$0.00	\$52,000.00	\$52,000.00	#Div/0!
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment	Fringe	Fringe	Fringe rate of 43.36%	\$143,591.76	\$178,911.75	\$35,319.99	24.60%
				Taxes	Taxes	Tax rate of 2.45%	\$6,784.71	\$10,085.91	\$3,301.20	48.66%
		D15	Workers' Compensation Chargebacks	Worker's Comp Chargeback	Worker's Comp Chargeback	Worker's Comp Chargeback	\$5,000.00	\$5,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				\$155,376.47	\$193,997.66	\$38,621.19	24.86%
		EE	ADMINISTRATIVE EXPENSES							
		E02	Printing Expenses & Supplies	Printing	Printing	Printing of Reports and Best Practices	\$5,000.00	\$5,000.00	\$0.00	0.00%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1100	Human Resources							
		E12	Subscriptions, Memberships & Licensing Fees	Administrative Expenses		Marketing Sponsorships of Diversity and Opportunity Events GNEMSCD, UMASS, Collette Philips	\$15,000.00	\$15,000.00	\$0.00	0.00%
				Subscriptions		Human Resource Information System	\$5,000.00	\$5,000.00	\$0.00	0.00%
				Subscriptions		Subscriptions, Memberships & Licensing Fees SHRM, NEHRA, The Partnership	\$20,000.00	\$20,000.00	\$0.00	0.00%
		E19	Fees, Fines, Licenses, Permits & Chargebacks	Licenses		Fees, Fines, Licenses, Permits & Chargebacks for HRCMS and HRD	\$9,000.00	\$9,000.00	\$0.00	0.00%
		E22	Temp Use Space/Confer-Incidental Includes Reservation Fees	Conference Incidentals		Conference Incidentals	\$5,000.00	\$5,000.00	\$0.00	0.00%
				Conferences		Workforce/Diversity Meetings--Digital also	\$7,000.00	\$7,000.00	\$0.00	0.00%
		E30	Credit Card Purchases	Credit Card Charges		FIA Card	\$1,000.00	\$3,000.00	\$2,000.00	200.00%
		E41	Out Of State Travel Expen on Behalf of State Employ	Travel		Travel Agent	\$1,000.00	\$1,000.00	\$0.00	0.00%
		EE2	Conference, Training and Registration Fees	Conference, Training Registration Fees		GNEMSDC, Umass, Colette Phillips	\$5,500.00	\$5,500.00	\$0.00	0.00%
				Training		Conference, Training and Registration Fees	\$500.00	\$500.00	\$0.00	0.00%
		EE9	Employee Recognition Chargeback	Employee Morale		Employee Recognition Program	\$5,000.00	\$5,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$79,000.00</b>	<b>\$81,000.00</b>	<b>\$2,000.00</b>	<b>2.53%</b>
		HH	CONSULTANT SVCS (TO DEPTS)							
		H09	Attorneys/Legal Services	Legal Consultants		Employment Laywers	\$5,000.00	\$5,000.00	\$0.00	0.00%
				Worker's Comp		Workers Comp Litigation Fees	\$5,000.00	\$5,000.00	\$0.00	0.00%
		H23	Program Coordinators	Consultants		Diversity Equity and Inclusion RFR or SWC	\$0.00	\$50,000.00	\$50,000.00	#Div/0!
			<b>Obj Class Totals:</b>				<b>\$10,000.00</b>	<b>\$60,000.00</b>	<b>\$50,000.00</b>	<b>500.00%</b>
		JJ	OPERATIONAL SERVICES							
		J46	Temporary Help Services	Temp Help		Temp help/interns/diversity	\$75,000.00	\$75,000.00	\$0.00	0.00%
		JJ2	Auxiliary Services	HR Investigations		HR Investigations	\$10,000.00	\$10,000.00	\$0.00	0.00%
				Testing		All One Health Resouces	\$3,000.00	\$3,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$88,000.00</b>	<b>\$88,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		PP	STATE AID/POL SUB							
		P01	Grants To Public Entities	Grants		Worforce Development and Diversity Grants	\$150,000.00	\$150,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$150,000.00</b>	<b>\$150,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		UU	IT Non-Payroll Expenses							
		U03	Software & Information Technology Licenses (IT)	Software		HR Employee Review Software	\$0.00	\$10,725.00	\$10,725.00	#Div/0!
			<b>Obj Class Totals:</b>				<b>\$0.00</b>	<b>\$10,725.00</b>	<b>\$10,725.00</b>	<b>#Div/0!</b>
			<b>Division/Bureau Totals:</b>				<b>\$1,119,587.61</b>	<b>\$1,427,109.58</b>	<b>\$307,521.97</b>	<b>27.47%</b>
		1200	Legal							

Approp	Budget Grouping	Division/ Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10500001	Mass. Gaming Commission										
	MGC Regulatory Costs										
		1200	Legal								
			AA	REGULAR EMPLOYEE COMPENSATION							
			A01	Salaries: Inclusive	Employee Compensation	Employee Salaries	\$486,845.71	\$585,339.16	\$98,493.45	20.23%	
			<b>Obj Class Totals:</b>					<b>\$486,845.71</b>	<b>\$585,339.16</b>	<b>\$98,493.45</b>	<b>20.23%</b>
			BB	REGULAR EMPLOYEE RELATED EXPEN							
			B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	Travel	Out of State Travel and Training	\$6,250.00	\$6,250.00	\$0.00	0.00%	
			B02	In-State Travel	Travel	In State Travel	\$2,400.00	\$2,400.00	\$0.00	0.00%	
			B05	Conference, Training, Registration and Membership Dues and L	Professional Licenses	Professional and Bar Licenses	\$1,500.00	\$6,000.00	\$4,500.00	300.00%	
			<b>Obj Class Totals:</b>					<b>\$10,150.00</b>	<b>\$14,650.00</b>	<b>\$4,500.00</b>	<b>44.33%</b>
			DD	PENSION & INSURANCE RELATED EX							
			D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%	\$194,738.28	\$199,794.49	\$5,056.21	2.60%	
					Taxes	Tax rate of 2.45%	\$9,201.38	\$13,146.43	\$3,945.05	42.87%	
			<b>Obj Class Totals:</b>					<b>\$203,939.66</b>	<b>\$212,940.93</b>	<b>\$9,001.27</b>	<b>4.41%</b>
			EE	ADMINISTRATIVE EXPENSES							
			E01	Office & Administrative Supplies	Supplies	Office Supplies	\$5,000.00	\$5,000.00	\$0.00	0.00%	
			E12	Subscriptions, Memberships & Licensing Fees	Subscription	Legal Subscription - Law360	\$0.00	\$3,700.00	\$3,700.00	#Div/0!	
					Subscriptions	Subscriptions and Memberships Westlaw ABA	\$15,000.00	\$15,000.00	\$0.00	0.00%	
					Subscriptions	nstatrac Subscription	\$0.00	\$4,650.00	\$4,650.00	#Div/0!	
			E13	Advertising Expenses	Reg Advertising	Advertising of Regs and Meetings	\$10,000.00	\$10,000.00	\$0.00	0.00%	
			E30	Credit Card Purchases	Credit Card	Credit Card Purchases	\$0.00	\$5,000.00	\$5,000.00	#Div/0!	
			E41	Out Of State Travel Expen on Behalf of State Employ	Conference, Training, Registion Fees	Conference, Training, Registion Fees	\$6,250.00	\$6,250.00	\$0.00	0.00%	
					Travel	Conference/Trainings Travel and Lodging for FTEs	\$2,500.00	\$2,500.00	\$0.00	0.00%	
			<b>Obj Class Totals:</b>					<b>\$38,750.00</b>	<b>\$52,100.00</b>	<b>\$13,350.00</b>	<b>34.45%</b>
			HH	CONSULTANT SVCS (TO DEPTS)							
			H09	Attorneys/Legal Services	Legal	NA	\$0.00	\$0.00	\$0.00	#Num!	
					Litigation Defense	Outside Counsel Litigation Defense	\$400,000.00	\$400,000.00	\$0.00	0.00%	
					Outside Counsel	General Practice, Regulations, Laws, etc.	\$75,000.00	\$75,000.00	\$0.00	0.00%	
					Outside Counsel	Increase for Consultation for New Union Initiative Labor Employment Law	\$25,000.00	\$50,000.00	\$25,000.00	100.00%	
			H19	Management Consultants	Hearing Officer	Hearing Officer	\$40,000.00	\$40,000.00	\$0.00	0.00%	
			<b>Obj Class Totals:</b>					<b>\$540,000.00</b>	<b>\$565,000.00</b>	<b>\$25,000.00</b>	<b>4.63%</b>

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10500001	Mass. Gaming Commission										
	MGC Regulatory Costs										
		1200	Legal								
			JJ	OPERATIONAL SERVICES							
			JJ1	Legal Support Services	Operational Services	Offsite Storage - \$50 per month charge if boxes are pulled	\$750.00	\$750.00	\$0.00	0.00%	
			<b>Obj Class Totals:</b>					<b>\$750.00</b>	<b>\$750.00</b>	<b>\$0.00</b>	<b>0.00%</b>
			UU	IT Non-Payroll Expenses							
			U03	Software & Information Technology Licenses (IT)	Software	Relativity Document Search and PIR Tool	\$0.00	\$0.00	\$0.00	#Num!	
			<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>#Num!</b>
			<b>Division/Bureau Totals:</b>					<b>\$1,280,435.37</b>	<b>\$1,430,780.09</b>	<b>\$150,344.72</b>	<b>11.74%</b>
		1300	Executive Director								
			AA	REGULAR EMPLOYEE COMPENSATION							
			A01	Salaries: Inclusive	Employee Compensation	Employee Salaries	\$441,495.38	\$313,017.21	(\$128,478.17)	-29.10%	
			<b>Obj Class Totals:</b>					<b>\$441,495.38</b>	<b>\$313,017.21</b>	<b>(\$128,478.17)</b>	<b>-29.10%</b>
			BB	REGULAR EMPLOYEE RELATED EXPEN							
			B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	Travel	Conferences Out of State	\$4,500.00	\$4,500.00	\$0.00	0.00%	
			B02	In-State Travel	Travel	In-State Mileage and Reimbursements	\$4,023.25	\$4,023.25	\$0.00	0.00%	
			<b>Obj Class Totals:</b>					<b>\$8,523.25</b>	<b>\$8,523.25</b>	<b>\$0.00</b>	<b>0.00%</b>
			DD	PENSION & INSURANCE RELATED EX							
			D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%	\$176,598.15	\$136,037.28	(\$40,560.87)	-22.97%	
					Taxes	Tax rate of 2.45%	\$8,344.26	\$7,668.92	(\$675.34)	-8.09%	
			<b>Obj Class Totals:</b>					<b>\$184,942.41</b>	<b>\$143,706.20</b>	<b>(\$41,236.21)</b>	<b>-22.30%</b>
			EE	ADMINISTRATIVE EXPENSES							
			E12	Subscriptions, Memberships & Licensing Fees	Memberships	NAGR	\$500.00	\$500.00	\$0.00	0.00%	
			E30	Credit Card Purchases	Credit Card	Credit Card Purchases	\$5,000.00	\$5,000.00	\$0.00	0.00%	
			EE2	Conference, Training and Registration Fees	Gaming Forum	Travel allocated to divisions	\$0.00	\$0.00	\$0.00	#Num!	
					Travel	NA	\$0.00	\$0.00	\$0.00	#Num!	
					Travel and Conf	Conference, Training and Registration Fees	\$5,000.00	\$5,000.00	\$0.00	0.00%	
			<b>Obj Class Totals:</b>					<b>\$10,500.00</b>	<b>\$10,500.00</b>	<b>\$0.00</b>	<b>0.00%</b>
			HH	CONSULTANT SVCS (TO DEPTS)							
			H19	Management Consultants	Strategic Consultant	General Consultant needs for Commissioners or Executive Director	\$10,000.00	\$10,000.00	\$0.00	0.00%	
			<b>Obj Class Totals:</b>					<b>\$10,000.00</b>	<b>\$10,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
			JJ	OPERATIONAL SERVICES							
			J50	Instructors/Lecturers/Trainers	Training	Upper Management Training	\$5,000.00	\$5,000.00	\$0.00	0.00%	



Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1300	Executive Director							
			<b>Obj Class Totals:</b>				\$5,000.00	\$5,000.00	\$0.00	0.00%
			<b>Division/Bureau Totals:</b>				\$660,461.04	\$490,746.66	(\$169,714.38)	-25.70%
		1400	Information Technology							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Employee Salaries	\$891,382.92	\$1,039,345.34	\$147,962.42	16.60%
			<b>Obj Class Totals:</b>				\$891,382.92	\$1,039,345.34	\$147,962.42	16.60%
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI		Travel	Out of State Travel G2E/Gartner	\$1,875.00	\$1,875.00	\$0.00	0.00%
		B02	In-State Travel		Travel	In-state travel	\$3,750.00	\$3,750.00	\$0.00	0.00%
		B10	Exigent Job Related Expenses		Travel	Exigent Job Related Expenses	\$0.00	\$0.00	\$0.00	#Num!
		B11	Employer Refund of Non-Tax Benefits		Travel	Employer Refund of Non-Tax Benefits	\$0.00	\$0.00	\$0.00	#Num!
			<b>Obj Class Totals:</b>				\$5,625.00	\$5,625.00	\$0.00	0.00%
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe rate of 43.36%	\$356,553.17	\$451,635.26	\$95,082.09	26.67%
					Taxes	Tax rate of 2.45%	\$16,847.14	\$25,463.96	\$8,616.82	51.15%
			<b>Obj Class Totals:</b>				\$373,400.31	\$477,099.22	\$103,698.91	27.77%
		EE	ADMINISTRATIVE EXPENSES							
		E01	Office & Administrative Supplies		Supplies	Office and Administrative Supplies	\$300.00	\$300.00	\$0.00	0.00%
		E02	Printing Expenses & Supplies		Printers	Printers @\$250/printer	\$300.00	\$300.00	\$0.00	0.00%
		E12	Subscriptions, Memberships & Licensing Fees		Subscriptions	Pagefreezer, Gaming Compliance	\$18,676.00	\$18,676.00	\$0.00	0.00%
		E30	Credit Card Purchases		Credit Card	Credit Card Purchases; \$400 Domain GOV Renewal	\$1,000.00	\$1,000.00	\$0.00	0.00%
		E41	Out Of State Travel Expen on Behalf of State Employ		Travel	Travel Agent Expenses	\$0.00	\$0.00	\$0.00	#Num!
		E42	In-State Travel & Related Expen on Behalf of State Employees		Travel Agent	In-State Travel and Related Expenses	\$0.00	\$0.00	\$0.00	#Num!
		EE2	Conference, Training and Registration Fees		Conference	Conference, Training and Registrations Fees	\$2,500.00	\$2,500.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				\$22,776.00	\$22,776.00	\$0.00	0.00%
		GG	ENERGY COSTS AND SPACE RENTAL							
		G01	Space Rental		Data Center	Increase \$85,158.72 for IGT move Data Center Costs (Rack Space, maintenance for 2 Data Centers)	\$0.00	\$85,158.72	\$85,158.72	#Div/0!
			<b>Obj Class Totals:</b>				\$0.00	\$85,158.72	\$85,158.72	#Div/0!
		JJ	OPERATIONAL SERVICES							
		J50	Instructors/Lecturers/Trainers		Training	Technical Training not available on LinkedIn	\$5,000.00	\$5,000.00	\$0.00	0.00%

Approp	Budget Grouping	Division/ Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1400	Information Technology							
		JJ1	Legal Support Services		Litigation	Target Litigation Backup	\$0.00	\$0.00	\$0.00	#Num!
		<b>Obj Class Totals:</b>					<b>\$5,000.00</b>	<b>\$5,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		KK	EQUIPMENT PURCHASE							
		K07	Office Furnishings		Office Equipment	Creative Office Pavillion	\$5,000.00	\$5,000.00	\$0.00	0.00%
		<b>Obj Class Totals:</b>					<b>\$5,000.00</b>	<b>\$5,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		LL	EQUIPMENT LEASE-MAINTAIN/REPAR							
		L24	Motorized Vehicle Equipment Rental or Lease		Rental Cars	Enterprise	\$0.00	\$0.00	\$0.00	#Num!
		<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>#Num!</b>
		NN	INFRASTRUCTURE:							
		N50	Non-Major Facility Infrastructure Maintenance and Repair		Facilities Maintenance	\$4,450 Annual Main & Support, Parts/HVAC monitoring; Viscom \$1,500 Building Security	\$10,000.00	\$10,000.00	\$0.00	0.00%
		<b>Obj Class Totals:</b>					<b>\$10,000.00</b>	<b>\$10,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		UU	IT Non-Payroll Expenses							
		U01	Telecommunications Services Data		TELECOMMUNICAT IONS SERVICES DATA	Increase \$68,556.16 for IGT Move Surveillance, CMS Primary/Backup Circuits, Lab Line, Windstream Services (VPN, LAN, WAN redundancy) etc	\$278,584.06	\$372,140.22	\$93,556.16	33.58%
		U02	Telecommunications Services - Voice		TELECOMMUNICAT IONS SERVICES - VOICE	OfficeSuite (Voice, HD Meeting, WeConnect), Verizon Wireless, Multi-location fax lines	\$112,710.12	\$80,587.74	(\$32,122.38)	-28.50%
		U03	Software & Information Technology Licenses (IT)		SOFTWARE & INFORMATION TECHNOLOGY LICENSES (IT)	Increase \$86,671.56 for Azure Sentinel, M365 G5 Compliance, M365 G5 Security Adobe, Sharepoint, O365, Azure, JIRA, MDM etc	\$455,310.48	\$387,517.16	(\$67,793.32)	-14.89%
		U04	Information Technology Chargeback		INFORMATION TECHNOLOGY CHARGEBACK	ITD/BCS Chargeback	\$63,226.34	\$0.00	(\$63,226.34)	-100.00%
		U05	Information Technology (IT) Temp Staff Augmentation Profs		CMS - \$2,484,206.46	CMS - IGT Intelligen (PPC, MGM, EBH)	\$2,326,368.27	\$2,326,368.27	\$0.00	0.00%
					CONSULTING - \$75,000	IT Consulting Support (TBD)	\$50,000.00	\$50,000.00	\$0.00	0.00%
					IGT NOC Migration	Increase for data center move and for parts IGT NOC Migration	\$0.00	\$403,961.00	\$403,961.00	#Div/0!
					Staff Augmentations Professionals	McInnis Consulting Jira Expert	\$10,000.00	\$10,000.00	\$0.00	0.00%
		U06	Information Technology (IT) Cabling		IT Cabling	Raynham Build out	\$0.00	\$0.00	\$0.00	#Num!
					IT Cabling	Suffolk Build out @new \$26,050.08 in one time costs@ Suffolk Build out	\$0.00	\$0.00	\$0.00	#Num!

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1400	Information Technology							
		U06	Information Technology (IT) Cabling		IT Cabling	Runs/Cabling	\$3,000.00	\$3,000.00	\$0.00	0.00%
		U07	Information Technology (IT) Equipment		Cloud Migration	Prior Year Adjustment	\$0.00	\$0.00	\$0.00	#Num!
					IT Equipment	IT Equipment, emergency replacements (switches, routers, firewalls) etc	\$145,000.00	\$103,675.00	(\$41,325.00)	-28.50%
		U09	Information Technology (IT) Equip Rental Or Lease		INFORMATION TECHNOLOGY (IT) EQUIP RENTAL OR LEASE	ACS Leases (Refresh)	\$125,695.00	\$89,871.92	(\$35,823.08)	-28.50%
		U10	Information Tech (IT) Equipment Maintenance & Repair		IT Maintenance and Repair	Annual M&S Equipment/Services	\$131,802.76	\$94,238.97	(\$37,563.79)	-28.50%
		U11	Information Technology (IT) Contract Services		IT Contract Services	LMS, Gartner, Tallan Services	\$471,017.00	\$193,777.15	(\$277,239.85)	-58.86%
			<b>Obj Class Totals:</b>				<b>\$4,172,714.03</b>	<b>\$4,115,137.43</b>	<b>(\$57,576.60)</b>	<b>-1.38%</b>
			<b>Division/Bureau Totals:</b>				<b>\$5,485,898.26</b>	<b>\$5,765,141.71</b>	<b>\$279,243.45</b>	<b>5.09%</b>
		1500	Commissioners							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Employee Compensation	\$815,872.68	\$595,397.04	(\$220,475.64)	-27.02%
			<b>Obj Class Totals:</b>				<b>\$815,872.68</b>	<b>\$595,397.04</b>	<b>(\$220,475.64)</b>	<b>-27.02%</b>
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI		Travel Reimbursements	Travel Reimbursements --In State (6 Commission Meetings a Year, Site Visits) --Out of Pocket Out of State Expenses	\$18,000.00	\$18,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$18,000.00</b>	<b>\$18,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe rate of 43.36%	\$326,349.07	\$258,759.55	(\$67,589.52)	-20.71%
					Taxes	Tax rate of 2.45%	\$15,419.99	\$14,587.23	(\$832.76)	-5.40%
			<b>Obj Class Totals:</b>				<b>\$341,769.06</b>	<b>\$273,346.78</b>	<b>(\$68,422.28)</b>	<b>-20.02%</b>
		EE	ADMINISTRATIVE EXPENSES							
		E02	Printing Expenses & Supplies		Office Supplies	Lane Printing, etc.	\$200.00	\$200.00	\$0.00	0.00%
		E12	Subscriptions, Memberships & Licensing Fees		Subscriptions	Trade Journals	\$5,950.00	\$5,950.00	\$0.00	0.00%
		E22	Temp Use Space/Confer-Incidental Includes Reservation Fees		75-101 Parking Garage	Parking 75-101--5 spaces. Two of the spaces are included in the lease. This item pays for 3 of the spaces.	\$18,720.00	\$0.00	(\$18,720.00)	-100.00%
					Meeting Space	Temporary Space @ 6mtgs - \$2K meeting space 6 mtgs and \$5k to stream for 4 of the meetings	\$32,000.00	\$32,000.00	\$0.00	0.00%
					Team Building	Team Building, Agency Conferences	\$0.00	\$8,000.00	\$8,000.00	#Div/0!

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1500	Commissioners							
		E30	Credit Card Purchases		Credit Card	Allowable Credit Card Expenses	\$7,500.00	\$7,500.00	\$0.00	0.00%
		E41	Out Of State Travel Expen on Behalf of State Employ		Travel Agency Fees	Travel	\$10,000.00	\$10,000.00	\$0.00	0.00%
		EE2	Conference, Training and Registration Fees		Registration Fees	Conference/Trainings	\$7,000.00	\$7,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$81,370.00</b>	<b>\$70,650.00</b>	<b>(\$10,720.00)</b>	<b>-13.17%</b>
		GG	ENERGY COSTS AND SPACE RENTAL							
		G01	Space Rental		75-101 Parking Garage	Parking 75-101--5 spaces. Two of the spaces are included in the lease. This item pays for 3 of the spaces.	\$0.00	\$13,642.20	\$13,642.20	#Div/0!
			<b>Obj Class Totals:</b>				<b>\$0.00</b>	<b>\$13,642.20</b>	<b>\$13,642.20</b>	<b>#Div/0!</b>
		HH	CONSULTANT SVCS (TO DEPTS)							
		H23	Program Coordinators		Consultant	General Consulting	\$0.00	\$10,000.00	\$10,000.00	#Div/0!
					Consultant	NA	\$0.00	\$0.00	\$0.00	#Num!
					Monitor	Independent Monitor bills paid in 2nd quarter of FY22	\$50,771.80	\$0.00	(\$50,771.80)	-100.00%
					Monitor	Independent Monitor bills paid in first quarter of FY22	\$32,608.40	\$0.00	(\$32,608.40)	-100.00%
					Monitor	Prior Year Adjustment	\$0.00	\$0.00	\$0.00	#Num!
			<b>Obj Class Totals:</b>				<b>\$83,380.20</b>	<b>\$10,000.00</b>	<b>(\$73,380.20)</b>	<b>-88.01%</b>
		JJ	OPERATIONAL SERVICES							
		J33	Photographic & Micrographic Services		Stenographer	Transcriptions services	\$10,000.00	\$0.00	(\$10,000.00)	-100.00%
			<b>Obj Class Totals:</b>				<b>\$10,000.00</b>	<b>\$0.00</b>	<b>(\$10,000.00)</b>	<b>-100.00%</b>
		KK	EQUIPMENT PURCHASE							
		K07	Office Furnishings		Office Equipment	Office Furnishings	\$5,000.00	\$5,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$5,000.00</b>	<b>\$5,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
			<b>Division/Bureau Totals:</b>				<b>\$1,355,391.94</b>	<b>\$986,036.02</b>	<b>(\$369,355.92)</b>	<b>-27.25%</b>
		1600	Workforce and Supplier Diversity							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Employee Salaries consolidated into HR	\$0.00	\$0.00	\$0.00	#Num!
			<b>Obj Class Totals:</b>				<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>#Num!</b>
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI		Travel	Other Out of State Travel-Inclusive Airfare, Hotel, Lodging --Las Vegas Gaming Conference G2E	\$0.00	\$0.00	\$0.00	#Num!
		B02	In-State Travel		Travel	In-state Travel AOC as well as site visits of licensees	\$0.00	\$0.00	\$0.00	#Num!
			<b>Obj Class Totals:</b>				<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>#Num!</b>

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
	1600	Workforce and Supplier Diversity								
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe		Fringe	Fringe consolidated into HR	\$0.00	\$0.00	\$0.00	#Num!
			Taxes			Tax rate consolidated into HR	\$0.00	\$0.00	\$0.00	#Num!
		<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>#Num!</b>
	EE	ADMINISTRATIVE EXPENSES								
	E02	Printing Expenses & Supplies	Printing			Printing of Reports and Best Practices	\$0.00	\$0.00	\$0.00	#Num!
	E12	Subscriptions, Memberships & Licensing Fees	Administrative Expenses			Marketing Sponsorships of Diversity and Opportunity Events GNEMSCD, UMASS, Collette Philips	\$0.00	\$0.00	\$0.00	#Num!
	E22	Temp Use Space/Confer-Incidental Includes Reservation Fees	Conferences			Workforce/Diversity Meetings--Digital also	\$0.00	\$0.00	\$0.00	#Num!
	E41	Out Of State Travel Expen on Behalf of State Employ	Travel			Travel Agent	\$0.00	\$0.00	\$0.00	#Num!
	EE2	Conference, Training and Registration Fees	Conference, Training Registration Fees			GNEMSDC, Umass, Colette Phillips	\$0.00	\$0.00	\$0.00	#Num!
		<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>#Num!</b>
	HH	CONSULTANT SVCS (TO DEPTS)								
	HH3	Media Design, Editorial and Communication	Media Design			One Time Instance - Impact Report Design	\$0.00	\$0.00	\$0.00	#Num!
		<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>#Num!</b>
	PP	STATE AID/POL SUB								
	P01	Grants To Public Entities	Grants			Completed - MCCA contibution to Workforce Development	\$0.00	\$0.00	\$0.00	#Num!
			Grants			Worforce Development and Diversity Grants --Business Technical Assistance --Women in Construction --Regional WF Collaborations	\$0.00	\$0.00	\$0.00	#Num!
		<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>#Num!</b>
		<b>Division/Bureau Totals:</b>					<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>#Num!</b>
	1800	Communications								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation			Regular Salaries	\$192,021.01	\$143,905.41	(\$48,115.60)	-25.06%
		<b>Obj Class Totals:</b>					<b>\$192,021.01</b>	<b>\$143,905.41</b>	<b>(\$48,115.60)</b>	<b>-25.06%</b>
	BB	REGULAR EMPLOYEE RELATED EXPEN								
	B02	In-State Travel	Travel Reimbursement			In-State Travel Reimbursement	\$4,488.75	\$4,488.75	\$0.00	0.00%
		<b>Obj Class Totals:</b>					<b>\$4,488.75</b>	<b>\$4,488.75</b>	<b>\$0.00</b>	<b>0.00%</b>

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10500001	Mass. Gaming Commission										
	MGC Regulatory Costs										
		1800	Communications								
			CC	SPECIAL EMPLOYEES							
			C05	Contracted Student Interns	Intern	Student Intern-Co-op	\$0.00	\$0.00	\$0.00	#Num!	
			C23	Management, Business Professionals & Admin Services	Contract Employee	Contract Employee	\$0.00	\$0.00	\$0.00	#Num!	
			<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>#Num!</b>
			DD	PENSION & INSURANCE RELATED EX							
			D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%	\$76,808.40	\$62,541.29	(\$14,267.11)	-18.57%	
					Taxes	Tax rate of 2.45%	\$3,629.20	\$3,525.68	(\$103.52)	-2.85%	
			<b>Obj Class Totals:</b>					<b>\$80,437.60</b>	<b>\$66,066.97</b>	<b>(\$14,370.63)</b>	<b>-17.87%</b>
			EE	ADMINISTRATIVE EXPENSES							
			E02	Printing Expenses & Supplies	Printing	Printing	\$6,100.00	\$6,100.00	\$0.00	0.00%	
			E12	Subscriptions, Memberships & Licensing Fees	Subscriptions	Subscriptions, Licensing, Memberships	\$35,650.00	\$35,650.00	\$0.00	0.00%	
			<b>Obj Class Totals:</b>					<b>\$41,750.00</b>	<b>\$41,750.00</b>	<b>\$0.00</b>	<b>0.00%</b>
			HH	CONSULTANT SVCS (TO DEPTS)							
			HH3	Media Design, Editorial and Communication	Website Design	Marketing & Website Design	\$25,000.00	\$25,000.00	\$0.00	0.00%	
			<b>Obj Class Totals:</b>					<b>\$25,000.00</b>	<b>\$25,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
			JJ	OPERATIONAL SERVICES							
			JJ2	Auxiliary Services	Streaming	Streaming & Production of Public Meetings	\$23,000.00	\$23,000.00	\$0.00	0.00%	
			<b>Obj Class Totals:</b>					<b>\$23,000.00</b>	<b>\$23,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
			KK	EQUIPMENT PURCHASE							
			K05	Office Equipment	Equipment Purchases	Increased to purchase additional Photography/Streaming Equipment Net Zero Purchase	\$5,000.00	\$5,000.00	\$0.00	0.00%	
			<b>Obj Class Totals:</b>					<b>\$5,000.00</b>	<b>\$5,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
			UU	IT Non-Payroll Expenses							
			U07	Information Technology (IT) Equipment	Database	Customer Relationship management tool	\$0.00	\$0.00	\$0.00	#Num!	
			<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>#Num!</b>
			<b>Division/Bureau Totals:</b>					<b>\$371,697.36</b>	<b>\$309,211.13</b>	<b>(\$62,486.23)</b>	<b>-16.81%</b>
		1900	Ombudsman								
			AA	REGULAR EMPLOYEE COMPENSATION							
			A01	Salaries: Inclusive	Employee Compensation	Regular Employees	\$102,061.04	\$114,521.78	\$12,460.74	12.21%	
			<b>Obj Class Totals:</b>					<b>\$102,061.04</b>	<b>\$114,521.78</b>	<b>\$12,460.74</b>	<b>12.21%</b>
			BB	REGULAR EMPLOYEE RELATED EXPEN							

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1900	Ombudsman							
		B02	In-State Travel		In State Travel Reimbursement	In-State Travel Reimbursement and Out of State --Visits to Other Licensee Sites	\$2,992.50	\$2,992.50	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$2,992.50</b>	<b>\$2,992.50</b>	<b>\$0.00</b>	<b>0.00%</b>
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe rate of 43.36%	\$40,824.42	\$49,771.17	\$8,946.75	21.92%
					Taxes	Tax rate of 2.45%	\$1,928.95	\$2,805.78	\$876.83	45.46%
			<b>Obj Class Totals:</b>				<b>\$42,753.37</b>	<b>\$52,576.95</b>	<b>\$9,823.58</b>	<b>22.98%</b>
		EE	ADMINISTRATIVE EXPENSES							
		E12	Subscriptions, Memberships & Licensing Fees		Subscriptions/Memberships	Instatrac subscription	\$0.00	\$0.00	\$0.00	#Num!
		E22	Temp Use Space/Confer-Incidental Includes Reservation Fees		Conferences and Incidentals	Gaming Policy Advisory Committee	\$0.00	\$0.00	\$0.00	#Num!
			<b>Obj Class Totals:</b>				<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>#Num!</b>
		UU	IT Non-Payroll Expenses							
		U07	Information Technology (IT) Equipment		IT Software	Grant Software	\$0.00	\$0.00	\$0.00	#Num!
			<b>Obj Class Totals:</b>				<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>#Num!</b>
			<b>Division/Bureau Totals:</b>				<b>\$147,806.91</b>	<b>\$170,091.23</b>	<b>\$22,284.32</b>	<b>15.08%</b>
		5000	Investigations and Enforcement Bureau							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Employee Salaries	\$3,639,412.54	\$3,931,409.73	\$291,997.19	8.02%
		A08	Overtime Pay		Overtime	Overtime for Gaming Agents.	\$100,000.00	\$100,000.00	\$0.00	0.00%
					Overtime	Overtime increase for 2nd half of fiscal year Gaming Agents	\$0.00	\$0.00	\$0.00	#Num!
			<b>Obj Class Totals:</b>				<b>\$3,739,412.54</b>	<b>\$4,031,409.73</b>	<b>\$291,997.19</b>	<b>7.81%</b>
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI		Travel	Out of state travel reimbursements for gaming enforcement agents and non-state police staff	\$11,250.00	\$15,000.00	\$3,750.00	33.33%
		B02	In-State Travel		Travel	In-state-travel reimbursements for gaming enforcement agents and non-state police staff	\$7,980.00	\$7,980.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$19,230.00</b>	<b>\$22,980.00</b>	<b>\$3,750.00</b>	<b>19.50%</b>
		CC	SPECIAL EMPLOYEES							
		C23	Management, Business Professionals & Admin Services		Contract Employee	Contracted Civilian Investigators	\$205,000.00	\$124,800.00	(\$80,200.00)	-39.12%
					Contract Employees	Prior Year Adjustment	\$0.00	\$0.00	\$0.00	#Num!

Approp	Budget Grouping	Division/ Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission			MGC Regulatory Costs						
		5000	Investigations and Enforcement Bureau							
			<b>Obj Class Totals:</b>				<b>\$205,000.00</b>	<b>\$124,800.00</b>	<b>(\$80,200.00)</b>	<b>-39.12%</b>
		DD	<i>PENSION &amp; INSURANCE RELATED EX</i>							
		D09	Fringe Benefit Cost Recoupment	Fringe	Fringe	Fringe rate of 43.36%	\$1,455,765.02	\$1,708,290.66	\$252,525.64	17.35%
				Taxes	Taxes	Tax rate of 2.45%	\$68,784.90	\$96,319.54	\$27,534.64	40.03%
				Taxes	Taxes	Taxes on CC Employees 2.45%	\$4,038.50	\$3,057.60	(\$980.90)	-24.29%
			<b>Obj Class Totals:</b>				<b>\$1,528,588.42</b>	<b>\$1,807,667.80</b>	<b>\$279,079.38</b>	<b>18.26%</b>
		EE	<i>ADMINISTRATIVE EXPENSES</i>							
		E01	Office & Administrative Supplies	Supplies	Supplies	Supplies	\$5,000.00	\$5,000.00	\$0.00	0.00%
		E12	Subscriptions, Memberships & Licensing Fees	Subscriptions	Lexis Nexis,Hire Authority, Nat.Student Loan Increase of \$500/month for GOLD Subscription Service		\$86,000.00	\$101,000.00	\$15,000.00	17.44%
		E20	Motor Vehicle Chargeback	Motor Vehcile Lease	OVM Chargeback		\$6,110.00	\$6,110.00	\$0.00	0.00%
		E30	Credit Card Purchases	Credit Card	Credit Card Purchases		\$15,000.00	\$15,000.00	\$0.00	0.00%
		E41	Out Of State Travel Expen on Behalf of State Employ	Travel Agent	Travel Agent for Trainings and Investigations		\$75,000.00	\$100,000.00	\$25,000.00	33.33%
		EE2	Conference, Training and Registration Fees	Registrations	Training/Conference Registration Fees.		\$26,250.00	\$30,000.00	\$3,750.00	14.29%
			<b>Obj Class Totals:</b>				<b>\$213,360.00</b>	<b>\$257,110.00</b>	<b>\$43,750.00</b>	<b>20.51%</b>
		FF	<i>FACILITY OPERATIONAL EXPENSES</i>							
		F09	Clothing & Footwear	Programatic Supplies	Clothing and Footwear		\$20,000.00	\$20,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$20,000.00</b>	<b>\$20,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		HH	<i>CONSULTANT SVCS (TO DEPTS)</i>							
		H23	Program Coordinators	Outside Consultant	HLT Background		\$0.00	\$0.00	\$0.00	#Num!
			<b>Obj Class Totals:</b>				<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>#Num!</b>
		JJ	<i>OPERATIONAL SERVICES</i>							
		J25	Laboratory & Pharmaceutical Services	Everett Police	EPDEverett Police GEU 7FTE's		\$1,333,235.00	\$1,666,543.75	\$333,308.75	25.00%
				Finger Prints State Police	Chargeback for Finger Print Costs for Licenses @ \$50/set and ~4.5K prints		\$50,000.00	\$50,000.00	\$0.00	0.00%
				Plainville Police Salaries	Plainville Local Police		\$411,044.56	\$412,743.22	\$1,698.66	0.41%
				Plainville Police Salaries	Plainville Local Police amendment for unpaid invoice from FY19		\$0.00	\$0.00	\$0.00	#Num!
				Springfield Police Salaries	SPDSpringfield Police GEU 6 FTEs Amendment for FY21 costs billed in FY22		\$0.00	\$0.00	\$0.00	#Num!
				Springfield Police Salaries	SPDSpringfield Police GEU 7 FTEs		\$1,014,612.49	\$1,089,648.14	\$75,035.65	7.40%
				State Police	MSP MGC Salaries for MGC Investigations and Background Unit		\$961,673.22	\$983,275.34	\$21,602.12	2.25%



Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission			MGC Regulatory Costs						
		5000	Investigations and Enforcement Bureau							
		J25	Laboratory & Pharmaceutical Services		State Police	MSPMGC State Police Troopers Plainville Straight Time and Payroll Taxes	\$1,193,336.14	\$1,316,353.58	\$123,017.44	10.31%
					State Police	MSPMGC State Troopers Everett	\$1,646,713.44	\$1,793,626.06	\$146,912.62	8.92%
					State Police	MSPMSP Staff Costs at MGM 16 FTEs	\$1,830,943.32	\$1,890,486.33	\$59,543.01	3.25%
					State Police	Prior Year Adjustment	\$0.00	\$0.00	\$0.00	#Num!
					State Police OT & Travel	Increase of 6.75% for bargaining unit OT and Travel for Troopers assigned to MGC GEU	\$1,926,100.00	\$2,056,111.75	\$130,011.75	6.75%
		J28	Law Enforcement		Lease Vehicles	Plainville Law Enforcement Vehicles	\$8,877.39	\$8,877.39	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$10,376,535.56</b>	<b>\$11,267,665.56</b>	<b>\$891,130.00</b>	<b>8.59%</b>
		KK	EQUIPMENT PURCHASE							
		K07	Office Furnishings		Equipment Purchase	Current year Qtr1 budget adjustment	\$0.00	\$0.00	\$0.00	#Num!
					Office Equipment	Patrol Rifles/Active Shooter Gear-- Replacement/Upgrade of Fingerprint Machines to be Windows Compliant	\$47,000.00	\$47,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$47,000.00</b>	<b>\$47,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		NN	INFRASTRUCTURE:							
		N50	Non-Major Facility Infrastructure Maintenance and Repair		Non-Major Facility Maintenance & Repair	Office Reconfiguration	\$10,000.00	\$15,000.00	\$5,000.00	50.00%
			<b>Obj Class Totals:</b>				<b>\$10,000.00</b>	<b>\$15,000.00</b>	<b>\$5,000.00</b>	<b>50.00%</b>
		UU	IT Non-Payroll Expenses							
		U03	Software & Information Technology Licenses (IT)		Software	ITRACK- Omnigo	\$11,700.00	\$13,000.00	\$1,300.00	11.11%
			<b>Obj Class Totals:</b>				<b>\$11,700.00</b>	<b>\$13,000.00</b>	<b>\$1,300.00</b>	<b>11.11%</b>
			<b>Division/Bureau Totals:</b>				<b>\$16,170,826.52</b>	<b>\$17,606,633.09</b>	<b>\$1,435,806.57</b>	<b>8.88%</b>
		7000	Licensing Division							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Regular Employee Salaries	\$591,539.70	\$653,328.24	\$61,788.54	10.45%
			<b>Obj Class Totals:</b>				<b>\$591,539.70</b>	<b>\$653,328.24</b>	<b>\$61,788.54</b>	<b>10.45%</b>
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI		Travel	Out-of State Travel Reimbursements	\$1,875.00	\$1,875.00	\$0.00	0.00%
		B02	In-State Travel		Travel	In-State Travel Reimbursements-- Fingerprinting Reimbursements	\$997.50	\$997.50	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$2,872.50</b>	<b>\$2,872.50</b>	<b>\$0.00</b>	<b>0.00%</b>
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe rate of 43.36%	\$236,615.87	\$283,936.45	\$47,320.58	20.00%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10500001	Mass. Gaming Commission										
	MGC Regulatory Costs										
		7000	Licensing Division								
			D09	Fringe Benefit Cost Recoupment	Taxes	Tax rate of 2.45%	\$11,180.10	\$16,006.54	\$4,826.44	43.17%	
			<b>Obj Class Totals:</b>					<b>\$247,795.97</b>	<b>\$299,943.00</b>	<b>\$52,147.03</b>	<b>21.04%</b>
			EE	ADMINISTRATIVE EXPENSES							
			E02	Printing Expenses & Supplies	Supplies	Supplies	\$7,500.00	\$7,500.00	\$0.00	0.00%	
			E06	Postage	Postage	Federal Express Charges	\$1,500.00	\$1,500.00	\$0.00	0.00%	
			E41	Out Of State Travel Expen on Behalf of State Employ	Travel Agent	Travel Leaders G2E for meetings with Vendors and Licensing of Primaries	\$7,000.00	\$7,000.00	\$0.00	0.00%	
			EE2	Conference, Training and Registration Fees	Conferences	Conference, Training & Registration.	\$4,000.00	\$4,000.00	\$0.00	0.00%	
			<b>Obj Class Totals:</b>					<b>\$20,000.00</b>	<b>\$20,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
			LL	EQUIPMENT LEASE-MAINTAIN/REPAR							
			L26	Printing/Photocopy & Micrographics Equip Rent/Lease	Equipment Leases	3 Scanner Leases	\$10,000.00	\$10,000.00	\$0.00	0.00%	
			<b>Obj Class Totals:</b>					<b>\$10,000.00</b>	<b>\$10,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
			<b>Division/Bureau Totals:</b>					<b>\$872,208.17</b>	<b>\$986,143.74</b>	<b>\$113,935.57</b>	<b>13.06%</b>
		All	All Divisions								
			AA	REGULAR EMPLOYEE COMPENSATION							
			A01	Salaries: Inclusive	Regular Employee Compensation	Turnover Savings	(\$350,000.00)	(\$350,000.00)	\$0.00	0.00%	
					Salaries	1st quarter Payroll Increase	\$127,623.77	\$0.00	(\$127,623.77)	-100.00%	
					Turnover Savings	Projected Turnover in addition to initial \$250K.	\$0.00	\$0.00	\$0.00	#Num!	
			<b>Obj Class Totals:</b>					<b>(\$222,376.23)</b>	<b>(\$350,000.00)</b>	<b>(\$127,623.77)</b>	<b>57.39%</b>
			BB	REGULAR EMPLOYEE RELATED EXPEN							
			B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	Travel	NA	\$0.00	\$0.00	\$0.00	#Num!	
			<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>#Num!</b>
			DD	PENSION & INSURANCE RELATED EX							
			D09	Fringe Benefit Cost Recoupment	Fringe and Payroll Taxes	Fringe and Payroll Taxes on 1st quarter Payroll Increase	\$53,461.60	\$0.00	(\$53,461.60)	-100.00%	
					Fringe and Payroll Taxes	Fringe and Payroll Taxes on 2nd quarter turnover savings	\$0.00	\$0.00	\$0.00	#Num!	
					Fringe and Payroll Taxes	Fringe and Payroll Taxes on Turnover Savings (45.81%)	(\$146,615.00)	(\$160,335.00)	(\$13,720.00)	9.36%	
			<b>Obj Class Totals:</b>					<b>(\$93,153.40)</b>	<b>(\$160,335.00)</b>	<b>(\$67,181.60)</b>	<b>72.12%</b>
			<b>Division/Bureau Totals:</b>					<b>(\$315,529.63)</b>	<b>(\$510,335.00)</b>	<b>(\$194,805.37)</b>	<b>61.74%</b>
			<b>MGC Regulatory Costs Totals:</b>					<b>\$29,608,017.04</b>	<b>\$30,842,723.05</b>	<b>\$1,234,706.01</b>	<b>4.17%</b>
			Indirect								

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	Indirect									
	2000	MGC Indirect								
	EE	ADMINISTRATIVE EXPENSES								
	E16	Indirect Cost Recoupment	Indirect		Indirect	Indirect adjustments from 2nd quarter revisions	\$0.00	\$0.00	\$0.00	#Num!
			Indirect		Indirect	Indirect Expense on Turnover Savings	\$0.00	\$0.00	\$0.00	#Num!
			Indirect		Indirect	NA	\$0.00	\$0.00	\$0.00	#Num!
			Indirect		Indirect	Prior Year Adjustment	\$0.00	\$0.00	\$0.00	#Num!
			Indirect Agency Wide		Indirect	Indirect at 10% of AA, CC, HH, JJ and UU excluding U07	\$2,419,852.48	\$2,549,564.19	\$129,711.71	5.36%
		<b>Obj Class Totals:</b>					<b>\$2,419,852.48</b>	<b>\$2,549,564.19</b>	<b>\$129,711.71</b>	<b>5.36%</b>
		<b>Division/Bureau Totals:</b>					<b>\$2,419,852.48</b>	<b>\$2,549,564.19</b>	<b>\$129,711.71</b>	<b>5.36%</b>
	Indirect		<b>Totals:</b>				<b>\$2,419,852.48</b>	<b>\$2,549,564.19</b>	<b>\$129,711.71</b>	<b>5.36%</b>
	Office of Attorney General and AGO MSP									
	9000	Office of the Attorney General								
	JJ	OPERATIONAL SERVICES								
	J25	Laboratory & Pharmaceutical Services	State Police		State Police	MSPAGO State Police OT	\$360,500.00	\$360,500.00	\$0.00	0.00%
			State Police		State Police	MSPAGO Straight Time Troopers and Payroll Taxes 3FTEs for FY23	\$578,613.12	\$636,238.55	\$57,625.43	9.96%
		<b>Obj Class Totals:</b>					<b>\$939,113.12</b>	<b>\$996,738.55</b>	<b>\$57,625.43</b>	<b>6.14%</b>
	OO									
	O09		Attorney General		Attorney General	Funds FTEs assigned to the unit, various percentages of FTEs of support, and management positions, office space, travel, conferences, and investigative costs.	\$2,927,384.00	\$2,927,384.00	\$0.00	0.00%
			Indirect		Indirect	Prior Year Adjustment	\$0.00	\$0.00	\$0.00	#Num!
		<b>Obj Class Totals:</b>					<b>\$2,927,384.00</b>	<b>\$2,927,384.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		<b>Division/Bureau Totals:</b>					<b>\$3,866,497.12</b>	<b>\$3,924,122.55</b>	<b>\$57,625.43</b>	<b>1.49%</b>
	Office of Attorney General and AGO MSP		<b>Totals:</b>				<b>\$3,866,497.12</b>	<b>\$3,924,122.55</b>	<b>\$57,625.43</b>	<b>1.49%</b>
	Alcohol and Beverage Control Commission									
	9001									
	OO									
	O01		ISA with ABCC		ISA with ABCC	ABCC	\$75,000.00	\$75,000.00	\$0.00	0.00%
		<b>Obj Class Totals:</b>					<b>\$75,000.00</b>	<b>\$75,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		<b>Division/Bureau Totals:</b>					<b>\$75,000.00</b>	<b>\$75,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
	Alcohol and Beverage Control Commission		<b>Totals:</b>				<b>\$75,000.00</b>	<b>\$75,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
	<b>Appropriation Totals</b>						<b>\$35,969,366.64</b>	<b>\$37,391,409.79</b>	<b>\$1,422,043.15</b>	<b>3.95%</b>

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
	MGC Regulatory Costs									
	1000	Finance and Administration								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	Admin Employees Salaries			\$209,120.02	\$102,489.31	(\$106,630.71)	-50.99%
	<b>Obj Class Totals:</b>						<b>\$209,120.02</b>	<b>\$102,489.31</b>	<b>(\$106,630.71)</b>	<b>-50.99%</b>
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%			\$83,648.25	\$44,541.85	(\$39,106.40)	-46.75%
			Taxes	Tax rate of 2.45%			\$4,027.90	\$2,510.99	(\$1,516.91)	-37.66%
	<b>Obj Class Totals:</b>						<b>\$87,676.15</b>	<b>\$47,052.84</b>	<b>(\$40,623.31)</b>	<b>-46.33%</b>
	<b>Division/Bureau Totals:</b>						<b>\$296,796.17</b>	<b>\$149,542.15</b>	<b>(\$147,254.02)</b>	<b>-49.61%</b>
	1100	Human Resources								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	HR Employees Salaries			\$105,766.53	\$27,166.97	(\$78,599.56)	-74.31%
			Raises	5% COLA/Incentives/Equity Agency Wide			\$0.00	\$37,277.01	\$37,277.01	#Div/0!
	<b>Obj Class Totals:</b>						<b>\$105,766.53</b>	<b>\$64,443.98</b>	<b>(\$41,322.55)</b>	<b>-39.07%</b>
	CC	SPECIAL EMPLOYEES								
	C23	Management, Business Professionals & Admin Services	Contract Employee	Administrative Help			\$0.00	\$5,200.00	\$5,200.00	#Div/0!
	<b>Obj Class Totals:</b>						<b>\$0.00</b>	<b>\$5,200.00</b>	<b>\$5,200.00</b>	<b>#Div/0!</b>
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%			\$42,306.61	\$11,806.77	(\$30,499.84)	-72.09%
			Taxes	Tax rate of 2.45%			\$1,998.99	\$665.59	(\$1,333.40)	-66.70%
	<b>Obj Class Totals:</b>						<b>\$44,305.60</b>	<b>\$12,472.36</b>	<b>(\$31,833.24)</b>	<b>-71.85%</b>
	<b>Division/Bureau Totals:</b>						<b>\$150,072.13</b>	<b>\$82,116.34</b>	<b>(\$67,955.79)</b>	<b>-45.28%</b>
	1200	Legal								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	Legal Employees Salaries			\$35,661.64	\$58,533.91	\$22,872.27	64.14%
	<b>Obj Class Totals:</b>						<b>\$35,661.64</b>	<b>\$58,533.91</b>	<b>\$22,872.27</b>	<b>64.14%</b>
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%			\$14,264.66	\$23,304.82	\$9,040.16	63.37%
			Taxes	Tax rate of 2.45%			\$674.00	\$1,314.64	\$640.64	95.05%
	<b>Obj Class Totals:</b>						<b>\$14,938.66</b>	<b>\$24,619.46</b>	<b>\$9,680.80</b>	<b>64.80%</b>
	<b>Division/Bureau Totals:</b>						<b>\$50,600.30</b>	<b>\$83,153.37</b>	<b>\$32,553.07</b>	<b>64.33%</b>
	1300	Executive Director								
	AA	REGULAR EMPLOYEE COMPENSATION								

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
	MGC Regulatory Costs									
	1300	Executive Director								
	A01	Salaries: Inclusive	Employee Compensation	Exec. Dir.	Employees Salaries	\$28,169.45	\$31,301.72	\$3,132.27	11.12%	
	<b>Obj Class Totals:</b>					<b>\$28,169.45</b>	<b>\$31,301.72</b>	<b>\$3,132.27</b>	<b>11.12%</b>	
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%		\$11,267.78	\$13,603.73	\$2,335.95	20.73%	
			Taxes	Tax rate of 2.45%		\$532.40	\$766.89	\$234.49	44.04%	
	<b>Obj Class Totals:</b>					<b>\$11,800.18</b>	<b>\$14,370.62</b>	<b>\$2,570.44</b>	<b>21.78%</b>	
	<b>Division/Bureau Totals:</b>					<b>\$39,969.63</b>	<b>\$45,672.34</b>	<b>\$5,702.71</b>	<b>14.27%</b>	
	1400	Information Technology								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	IT	Employees Salaries	\$197,045.62	\$99,434.49	(\$97,611.13)	-49.54%	
	<b>Obj Class Totals:</b>					<b>\$197,045.62</b>	<b>\$99,434.49</b>	<b>(\$97,611.13)</b>	<b>-49.54%</b>	
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%		\$78,818.25	\$43,207.81	(\$35,610.44)	-45.18%	
			Taxes	Tax rate of 2.45%		\$3,724.16	\$2,436.15	(\$1,288.01)	-34.59%	
	<b>Obj Class Totals:</b>					<b>\$82,542.41</b>	<b>\$45,643.95</b>	<b>(\$36,898.46)</b>	<b>-44.70%</b>	
	<b>Division/Bureau Totals:</b>					<b>\$279,588.03</b>	<b>\$145,078.44</b>	<b>(\$134,509.59)</b>	<b>-48.11%</b>	
	1500	Commissioners								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	Commissioners	Employees Salaries	\$64,831.02	\$59,539.70	(\$5,291.32)	-8.16%	
	<b>Obj Class Totals:</b>					<b>\$64,831.02</b>	<b>\$59,539.70</b>	<b>(\$5,291.32)</b>	<b>-8.16%</b>	
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%		\$25,932.41	\$25,875.95	(\$56.46)	-0.22%	
			Taxes	Tax rate of 2.45%		\$1,225.31	\$1,458.72	\$233.41	19.05%	
	<b>Obj Class Totals:</b>					<b>\$27,157.72</b>	<b>\$27,334.68</b>	<b>\$176.96</b>	<b>0.65%</b>	
	<b>Division/Bureau Totals:</b>					<b>\$91,988.74</b>	<b>\$86,874.38</b>	<b>(\$5,114.36)</b>	<b>-5.56%</b>	
	1800	Communications								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	Communications	Employees Salaries	\$17,838.02	\$14,390.54	(\$3,447.48)	-19.33%	
	<b>Obj Class Totals:</b>					<b>\$17,838.02</b>	<b>\$14,390.54</b>	<b>(\$3,447.48)</b>	<b>-19.33%</b>	
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%		\$7,135.21	\$6,254.13	(\$881.08)	-12.35%	
			Taxes	Tax rate of 2.45%		\$337.14	\$352.57	\$15.43	4.58%	
	<b>Obj Class Totals:</b>					<b>\$7,472.35</b>	<b>\$6,606.70</b>	<b>(\$865.65)</b>	<b>-11.58%</b>	

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
	MGC Regulatory Costs									
	1800	Communications								
	<b>Division/Bureau Totals:</b>						<b>\$25,310.37</b>	<b>\$20,997.24</b>	<b>(\$4,313.13)</b>	<b>-17.04%</b>
	3000	Racing Division								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	Regular Employee Salaries			\$293,314.51	\$322,652.95	\$29,338.44	10.00%
	<b>Obj Class Totals:</b>						<b>\$293,314.51</b>	<b>\$322,652.95</b>	<b>\$29,338.44</b>	<b>10.00%</b>
	BB	REGULAR EMPLOYEE RELATED EXPEN								
	B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	Travel	Out of State Travel Reimbursement			\$10,000.00	\$10,000.00	\$0.00	0.00%
	B02	In-State Travel	Travel	In State Travel Reimbursement			\$3,000.00	\$3,000.00	\$0.00	0.00%
	<b>Obj Class Totals:</b>						<b>\$13,000.00</b>	<b>\$13,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
	CC	SPECIAL EMPLOYEES								
	C04	Contracted Seasonal Employees	Seasonals	4% Increase Seasonal salaries for Plainridge at 35 weeks			\$468,000.00	\$482,040.00	\$14,040.00	3.00%
	<b>Obj Class Totals:</b>						<b>\$468,000.00</b>	<b>\$482,040.00</b>	<b>\$14,040.00</b>	<b>3.00%</b>
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%			\$117,325.80	\$140,224.97	\$22,899.17	19.52%
			Taxes	Tax rate of 2.45%			\$14,388.84	\$7,905.00	(\$6,483.84)	-45.06%
	<b>Obj Class Totals:</b>						<b>\$131,714.64</b>	<b>\$148,129.97</b>	<b>\$16,415.33</b>	<b>12.46%</b>
	EE	ADMINISTRATIVE EXPENSES								
	E01	Office & Administrative Supplies	Supplies	W.B. Mason			\$7,500.00	\$7,500.00	\$0.00	0.00%
	E02	Printing Expenses & Supplies	Printing	Millineum Printing			\$500.00	\$500.00	\$0.00	0.00%
	E12	Subscriptions, Memberships & Licensing Fees	Memberships	AA Dority/Organization of Racing Investigators			\$5,625.00	\$5,625.00	\$0.00	0.00%
			Memberships	Assoc. of Racing Regulators			\$18,700.00	\$18,700.00	\$0.00	0.00%
	E13	Advertising Expenses	Public Hearing Notices	Boston Globe			\$1,000.00	\$1,000.00	\$0.00	0.00%
			Public Hearing Notices	Boston Herald			\$700.00	\$700.00	\$0.00	0.00%
	E15	Bottled Water	Water	Belmont Springs/DS Waters of America			\$360.00	\$360.00	\$0.00	0.00%
	E41	Out Of State Travel Expen on Behalf of State Employ	Travel Agent	Travel			\$5,000.00	\$5,000.00	\$0.00	0.00%
	EE2	Conference, Training and Registration Fees	Conferences	Assoc. of Racing Comm./Louisiana Racing/Thoroughbred Racing			\$3,000.00	\$3,000.00	\$0.00	0.00%
	<b>Obj Class Totals:</b>						<b>\$42,385.00</b>	<b>\$42,385.00</b>	<b>\$0.00</b>	<b>0.00%</b>
	FF	FACILITY OPERATIONAL EXPENSES								
	F05	Laboratory Supplies	Vet Supplies	Gloves, scrubs etc.			\$2,000.00	\$2,000.00	\$0.00	0.00%
	F09	Clothing & Footwear	Equipment	Misc Facility Equipmnet			\$25,000.00	\$25,000.00	\$0.00	0.00%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
	MGC Regulatory Costs									
	3000	Racing Division								
		F09	Clothing & Footwear		Uniforms	Racing Uniforms for Seasonal Employees	\$15,000.00	\$15,000.00	\$0.00	0.00%
		<b>Obj Class Totals:</b>					<b>\$42,000.00</b>	<b>\$42,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		HH	CONSULTANT SVCS (TO DEPTS)							
		H19	Management Consultants		Hearing Officer	Hearing Officer for Racing Appeals	\$25,000.00	\$25,000.00	\$0.00	0.00%
		<b>Obj Class Totals:</b>					<b>\$25,000.00</b>	<b>\$25,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		JJ	OPERATIONAL SERVICES							
		J10	Auxiliary Financial Services		Credit Cards	Bank of America credit card terminal fees	\$1,000.00	\$1,000.00	\$0.00	0.00%
		J25	Laboratory & Pharmaceutical Services		Testing	Health Resources Corp.	\$2,000.00	\$2,000.00	\$0.00	0.00%
		J28	Law Enforcement		State Police	MSP Racing Straight Time	\$378,622.26	\$388,377.37	\$9,755.11	2.58%
		JJ1	Legal Support Services		Stenographer	Hardeman RealTime	\$5,000.00	\$5,000.00	\$0.00	0.00%
		JJ2	Auxiliary Services		Autopsies	Uconn Pathology	\$4,000.00	\$6,000.00	\$2,000.00	50.00%
					Testing Lab	Back Up Lab TBD	\$0.00	\$0.00	\$0.00	#Num!
					Testing Lab	Industrial Laboratories or alternate lab	\$382,500.00	\$382,500.00	\$0.00	0.00%
		<b>Obj Class Totals:</b>					<b>\$773,122.26</b>	<b>\$784,877.37</b>	<b>\$11,755.11</b>	<b>1.52%</b>
		LL	EQUIPMENT LEASE-MAINTAIN/REPAR							
		L46	Print, Photocopying & Micrograph Equipment Maint/Repair		Maintenance Contract	K & A Industries--Badge Printer	\$915.00	\$915.00	\$0.00	0.00%
		<b>Obj Class Totals:</b>					<b>\$915.00</b>	<b>\$915.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		MM	PURCHASED CLIENT/PROGRAM SVCS							
		M03	Purchased Human & Social Services For Clients/Non Medical		Hardship Payments	Economic Hardship Payments--Statutorily Required	\$20,000.00	\$20,000.00	\$0.00	0.00%
					Legislative Mandate	Jockey's Guild--Statutory Requirement	\$65,000.00	\$65,000.00	\$0.00	0.00%
		M04	Services Purch Support of Human/Social Services for Clients		ISA	ISA with DPH Compulsive Gambling--Statutory Requirement	\$70,000.00	\$70,000.00	\$0.00	0.00%
					Purchased Client/Program Svcs	Services Purch Support of Human/Social Services for Clients	\$0.00	\$0.00	\$0.00	#Num!
		<b>Obj Class Totals:</b>					<b>\$155,000.00</b>	<b>\$155,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		UU	IT Non-Payroll Expenses							
		U02	Telecommunications Services - Voice		Phones	Verizon/AT&T	\$5,000.00	\$5,000.00	\$0.00	0.00%
		U05	Information Technology (IT) Temp Staff Augmentation Profs		Database	Racing Licensing System	\$10,000.00	\$5,000.00	(\$5,000.00)	-50.00%
		U10	Information Tech (IT) Equipment Maintenance & Repair		Security & Surveillance	Test Barn	\$0.00	\$0.00	\$0.00	#Num!
		<b>Obj Class Totals:</b>					<b>\$15,000.00</b>	<b>\$10,000.00</b>	<b>(\$5,000.00)</b>	<b>-33.33%</b>
		<b>Division/Bureau Totals:</b>					<b>\$1,959,451.41</b>	<b>\$2,026,000.29</b>	<b>\$66,548.88</b>	<b>3.40%</b>
	5000	Investigations and Enforcement Bureau								

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
	MGC Regulatory Costs									
	5000	Investigations and Enforcement Bureau								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	Admin Employees Salaries			\$0.00	\$51,946.51	\$51,946.51	#Div/0!
	<b>Obj Class Totals:</b>						<b>\$0.00</b>	<b>\$51,946.51</b>	<b>\$51,946.51</b>	<b>#Div/0!</b>
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%			\$0.00	\$22,575.95	\$22,575.95	#Div/0!
			Taxes	Tax rate of 2.45%			\$0.00	\$1,272.69	\$1,272.69	#Div/0!
	<b>Obj Class Totals:</b>						<b>\$0.00</b>	<b>\$23,848.64</b>	<b>\$23,848.64</b>	<b>#Div/0!</b>
	<b>Division/Bureau Totals:</b>						<b>\$0.00</b>	<b>\$75,795.15</b>	<b>\$75,795.15</b>	<b>#Div/0!</b>
	7000	Licensing Division								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	Regular Employee Salaries			\$3,416.49	\$4,719.52	\$1,303.03	38.14%
	<b>Obj Class Totals:</b>						<b>\$3,416.49</b>	<b>\$4,719.52</b>	<b>\$1,303.03</b>	<b>38.14%</b>
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%			\$1,366.60	\$2,051.10	\$684.50	50.09%
			Taxes	Tax rate of 2.45%			\$64.57	\$115.63	\$51.06	79.07%
	<b>Obj Class Totals:</b>						<b>\$1,431.17</b>	<b>\$2,166.73</b>	<b>\$735.56</b>	<b>51.40%</b>
	<b>Division/Bureau Totals:</b>						<b>\$4,847.66</b>	<b>\$6,886.25</b>	<b>\$2,038.59</b>	<b>42.05%</b>
	<b>MGC Regulatory Costs Totals:</b>						<b>\$2,898,624.44</b>	<b>\$2,722,115.95</b>	<b>(\$176,508.49)</b>	<b>-6.09%</b>
	Indirect									
	2000	MGC Indirect								
	EE	ADMINISTRATIVE EXPENSES								
	E16	Indirect Cost Recoupment	Indirect Agency Wide	Indirect at 10% of AA, CC, HH, JJ and UU excluding U07			\$209,178.18	\$204,504.23	(\$4,673.95)	-2.23%
	<b>Obj Class Totals:</b>						<b>\$209,178.18</b>	<b>\$204,504.23</b>	<b>(\$4,673.95)</b>	<b>-2.23%</b>
	<b>Division/Bureau Totals:</b>						<b>\$209,178.18</b>	<b>\$204,504.23</b>	<b>(\$4,673.95)</b>	<b>-2.23%</b>
	<b>Indirect Totals:</b>						<b>\$209,178.18</b>	<b>\$204,504.23</b>	<b>(\$4,673.95)</b>	<b>-2.23%</b>
<b>Appropriation Totals</b>							<b>\$3,107,802.62</b>	<b>\$2,926,620.18</b>	<b>(\$181,182.44)</b>	<b>-5.83%</b>



Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500004	Community Mitigation									
	MGC Regulatory Costs									
		1100	Human Resources							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Raises	5% COLA/Incentives/Equity Agency Wide	\$0.00	\$10,188.69	\$10,188.69	#Div/0!
			<b>Obj Class Totals:</b>				<b>\$0.00</b>	<b>\$10,188.69</b>	<b>\$10,188.69</b>	<b>#Div/0!</b>
			<b>Division/Bureau Totals:</b>				<b>\$0.00</b>	<b>\$10,188.69</b>	<b>\$10,188.69</b>	<b>#Div/0!</b>
		1900	Ombudsman							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Regular Employee Salaries	\$170,463.12	\$203,773.74	\$33,310.62	19.54%
			<b>Obj Class Totals:</b>				<b>\$170,463.12</b>	<b>\$203,773.74</b>	<b>\$33,310.62</b>	<b>19.54%</b>
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI		Travel	In-State Travel	\$5,000.00	\$5,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$5,000.00</b>	<b>\$5,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe rate of 43.36%	\$68,185.25	\$88,560.07	\$20,374.82	29.88%
					Taxes	Tax rate of 2.45%	\$3,221.75	\$4,992.46	\$1,770.71	54.96%
			<b>Obj Class Totals:</b>				<b>\$71,407.00</b>	<b>\$93,552.52</b>	<b>\$22,145.52</b>	<b>31.01%</b>
		EE	ADMINISTRATIVE EXPENSES							
		E01	Office & Administrative Supplies		Supplies	Supplies Binders	\$5,000.00	\$2,500.00	(\$2,500.00)	-50.00%
		E12	Subscriptions, Memberships & Licensing Fees		Subscription	Instatrac Subscription	\$0.00	\$0.00	\$0.00	#Num!
		E16	Indirect Cost Recoupment		Indirect	Indirect Rate of 10%	\$15,687.22	\$20,377.37	\$4,690.15	29.90%
			<b>Obj Class Totals:</b>				<b>\$20,687.22</b>	<b>\$22,877.37</b>	<b>\$2,190.15</b>	<b>10.59%</b>
		GG	ENERGY COSTS AND SPACE RENTAL							
		G01	Space Rental		Rent	UMASS Facility	\$2,500.00	\$0.00	(\$2,500.00)	-100.00%
			<b>Obj Class Totals:</b>				<b>\$2,500.00</b>	<b>\$0.00</b>	<b>(\$2,500.00)</b>	<b>-100.00%</b>
		UU	IT Non-Payroll Expenses							
		U07	Information Technology (IT) Equipment		Database	Services Maintenance/Upgrades to Database	\$40,000.00	\$50,000.00	\$10,000.00	25.00%
					IT Software	Grant Software amendment for additional enhancements	\$40,000.00	\$0.00	(\$40,000.00)	-100.00%
			<b>Obj Class Totals:</b>				<b>\$80,000.00</b>	<b>\$50,000.00</b>	<b>(\$30,000.00)</b>	<b>-37.50%</b>
			<b>Division/Bureau Totals:</b>				<b>\$350,057.34</b>	<b>\$375,203.63</b>	<b>\$25,146.29</b>	<b>7.18%</b>
	MGC Regulatory Costs		<b>Totals:</b>				<b>\$350,057.34</b>	<b>\$385,392.32</b>	<b>\$35,334.98</b>	<b>10.09%</b>
<b>Appropriation Totals</b>							<b>\$350,057.34</b>	<b>\$385,392.32</b>	<b>\$35,334.98</b>	<b>10.09%</b>

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10501384	Sports Wagering Control Fund									
	MGC Regulatory Costs									
	1000	Finance and Administration								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive			Employee Compensation	Admin Employees Salaries	\$53,294.18	\$258,721.78	\$205,427.60	385.46%
		<b>Obj Class Totals:</b>					<b>\$53,294.18</b>	<b>\$258,721.78</b>	<b>\$205,427.60</b>	<b>385.46%</b>
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment			Fringe	Fringe rate of 43.36%	\$21,051.20	\$112,440.49	\$91,389.29	434.13%
					Taxes	Tax rate of 2.45%	\$985.94	\$6,338.68	\$5,352.74	542.91%
		<b>Obj Class Totals:</b>					<b>\$22,037.14</b>	<b>\$118,779.17</b>	<b>\$96,742.03</b>	<b>439.00%</b>
	GG	ENERGY COSTS AND SPACE RENTAL								
	G01	Space Rental			Office Lease	101 Federal St. 12 months	\$0.00	\$378,375.22	\$378,375.22	#Div/0!
	G03	Electricity			Electricity	101 Federal St. 12 months	\$0.00	\$9,301.10	\$9,301.10	#Div/0!
		<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$387,676.32</b>	<b>\$387,676.32</b>	<b>#Div/0!</b>
	UU	IT Non-Payroll Expenses								
	U03	Software & Information Technology Licenses (IT)			Software	Software - LinkSquares CLM	\$0.00	\$14,250.00	\$14,250.00	#Div/0!
		<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$14,250.00</b>	<b>\$14,250.00</b>	<b>#Div/0!</b>
		<b>Division/Bureau Totals:</b>					<b>\$75,331.32</b>	<b>\$779,427.27</b>	<b>\$704,095.95</b>	<b>934.67%</b>
	1100	Human Resources								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive			Employee Compensation	HR Employees Salaries	\$0.00	\$159,116.73	\$159,116.73	#Div/0!
					Raises	5% COLA/Incentives/Equity Agency Wide	\$0.00	\$151,408.94	\$151,408.94	#Div/0!
		<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$310,525.67</b>	<b>\$310,525.67</b>	<b>#Div/0!</b>
	CC	SPECIAL EMPLOYEES								
	C23	Management, Business Professionals & Admin Services			Contract Employee	Administrative Help	\$0.00	\$22,800.00	\$22,800.00	#Div/0!
		<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$22,800.00</b>	<b>\$22,800.00</b>	<b>#Div/0!</b>
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment			Fringe	Fringe rate of 43.36%	\$0.00	\$69,152.13	\$69,152.13	#Div/0!
					Taxes	Tax rate of 2.45%	\$0.00	\$3,898.36	\$3,898.36	#Div/0!
		<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$73,050.49</b>	<b>\$73,050.49</b>	<b>#Div/0!</b>
	UU	IT Non-Payroll Expenses								
	U03	Software & Information Technology Licenses (IT)			Software	Software - BambooHR	\$0.00	\$4,275.00	\$4,275.00	#Div/0!
		<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$4,275.00</b>	<b>\$4,275.00</b>	<b>#Div/0!</b>
		<b>Division/Bureau Totals:</b>					<b>\$0.00</b>	<b>\$410,651.16</b>	<b>\$410,651.16</b>	<b>#Div/0!</b>
	1200	Legal								

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10501384	Sports Wagering Control Fund									
	MGC Regulatory Costs									
	1200	Legal								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	Legal Employees Salaries			\$0.00	\$256,648.70	\$256,648.70	#Div/0!
	<b>Obj Class Totals:</b>						<b>\$0.00</b>	<b>\$256,648.70</b>	<b>\$256,648.70</b>	<b>#Div/0!</b>
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%			\$0.00	\$102,182.68	\$102,182.68	#Div/0!
			Taxes	Tax rate of 2.45%			\$0.00	\$5,764.21	\$5,764.21	#Div/0!
	<b>Obj Class Totals:</b>						<b>\$0.00</b>	<b>\$107,946.90</b>	<b>\$107,946.90</b>	<b>#Div/0!</b>
	HH	CONSULTANT SVCS (TO DEPTS)								
	H09	Attorneys/Legal Services	Outside Counsel	Outside Counsel - A&K			\$850,000.00	\$200,000.00	(\$650,000.00)	-76.47%
	<b>Obj Class Totals:</b>						<b>\$850,000.00</b>	<b>\$200,000.00</b>	<b>(\$650,000.00)</b>	<b>-76.47%</b>
	UU	IT Non-Payroll Expenses								
	U03	Software & Information Technology Licenses (IT)	Software	Relativity Document Search and PIR Tool			\$0.00	\$155,000.00	\$155,000.00	#Div/0!
	<b>Obj Class Totals:</b>						<b>\$0.00</b>	<b>\$155,000.00</b>	<b>\$155,000.00</b>	<b>#Div/0!</b>
	<b>Division/Bureau Totals:</b>						<b>\$850,000.00</b>	<b>\$719,595.60</b>	<b>(\$130,404.40)</b>	<b>-15.34%</b>
	1300	Executive Director								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	Exec. Dir. Employees Salaries			\$0.00	\$137,246.01	\$137,246.01	#Div/0!
	<b>Obj Class Totals:</b>						<b>\$0.00</b>	<b>\$137,246.01</b>	<b>\$137,246.01</b>	<b>#Div/0!</b>
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%			\$0.00	\$59,647.12	\$59,647.12	#Div/0!
			Taxes	Tax rate of 2.45%			\$0.00	\$3,362.53	\$3,362.53	#Div/0!
	<b>Obj Class Totals:</b>						<b>\$0.00</b>	<b>\$63,009.64</b>	<b>\$63,009.64</b>	<b>#Div/0!</b>
	<b>Division/Bureau Totals:</b>						<b>\$0.00</b>	<b>\$200,255.65</b>	<b>\$200,255.65</b>	<b>#Div/0!</b>
	1400	Information Technology								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	IT Employees Salaries			\$123,698.93	\$663,359.59	\$539,660.66	436.27%
	<b>Obj Class Totals:</b>						<b>\$123,698.93</b>	<b>\$663,359.59</b>	<b>\$539,660.66</b>	<b>436.27%</b>
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%			\$48,861.08	\$288,267.92	\$239,406.84	489.97%
			Taxes	Tax rate of 2.45%			\$2,288.43	\$16,252.31	\$13,963.88	610.19%
	<b>Obj Class Totals:</b>						<b>\$51,149.51</b>	<b>\$304,520.23</b>	<b>\$253,370.72</b>	<b>495.35%</b>
	UU	IT Non-Payroll Expenses								

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10501384	Sports Wagering Control Fund										
	MGC Regulatory Costs										
	1400	Information Technology									
	U02	Telecommunications Services - Voice	TELECOMMUNICAT IONS SERVICES - VOICE	OfficeSuite (Voice, HD Meeting, WeConnect), Verizon Wireless, Multi-location fax lines			\$0.00	\$32,122.38	\$32,122.38	#Div/0!	
	U03	Software & Information Technology Licenses (IT)	SOFTWARE & INFORMATION TECHNOLOGY LICENSES (IT)	Increase \$86,671.56 for Azure Sentinel, M365 G5 Compliance, M365 G5 Security Adobe, Sharepoint, O365, Azure, JIRA, MDM etc			\$0.00	\$154,464.88	\$154,464.88	#Div/0!	
	U06	Information Technology (IT) Cabling	IT Cabling	Raynham Build out			\$0.00	\$54,531.48	\$54,531.48	#Div/0!	
			IT Cabling	Suffolk Build out @new \$26,050.08 in one time costs@ Suffolk Build out			\$0.00	\$54,531.48	\$54,531.48	#Div/0!	
	U07	Information Technology (IT) Equipment	IT Equipment	IT Equipment, emergency replacements (switches, routers, firewalls) etc			\$0.00	\$41,325.00	\$41,325.00	#Div/0!	
	U09	Information Technology (IT) Equip Rental Or Lease	INFORMATION TECHNOLOGY (IT) EQUIP RENTAL OR LEASE	ACS Leases (Refresh)			\$0.00	\$35,823.08	\$35,823.08	#Div/0!	
	U10	Information Tech (IT) Equipment Maintenance & Repair	IT Maintenance and Repair	Annual M&S Equipment/Services			\$0.00	\$37,563.79	\$37,563.79	#Div/0!	
	U11	Information Technology (IT) Contract Services	IT Contract Services	LMS, Gartner, Tallan Services			\$0.00	\$77,239.85	\$77,239.85	#Div/0!	
		<b>Obj Class Totals:</b>						<b>\$0.00</b>	<b>\$487,601.93</b>	<b>\$487,601.93</b>	<b>#Div/0!</b>
		<b>Division/Bureau Totals:</b>						<b>\$174,848.44</b>	<b>\$1,455,481.75</b>	<b>\$1,280,633.31</b>	<b>732.42%</b>
	1500	Commissioners									
	AA	REGULAR EMPLOYEE COMPENSATION									
	A01	Salaries: Inclusive	Employee Compensation	Commissioners Employees Salaries			\$0.00	\$261,058.70	\$261,058.70	#Div/0!	
		<b>Obj Class Totals:</b>						<b>\$0.00</b>	<b>\$261,058.70</b>	<b>\$261,058.70</b>	<b>#Div/0!</b>
	DD	PENSION & INSURANCE RELATED EX									
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%			\$0.00	\$113,456.11	\$113,456.11	#Div/0!	
			Taxes	Tax rate of 2.45%			\$0.00	\$6,395.94	\$6,395.94	#Div/0!	
		<b>Obj Class Totals:</b>						<b>\$0.00</b>	<b>\$119,852.05</b>	<b>\$119,852.05</b>	<b>#Div/0!</b>
	GG	ENERGY COSTS AND SPACE RENTAL									
	G01	Space Rental	75-101 Parking Garage	Parking 75-101--5 spaces. Two of the spaces are included in the lease. This item pays for 3 of the spaces.			\$0.00	\$5,437.80	\$5,437.80	#Div/0!	
		<b>Obj Class Totals:</b>						<b>\$0.00</b>	<b>\$5,437.80</b>	<b>\$5,437.80</b>	<b>#Div/0!</b>
	HH	CONSULTANT SVCS (TO DEPTS)									
	HH1	Financial Services	Consultants	Application Consulting Review (indexing of applications)			\$230,000.00	\$0.00	(\$230,000.00)	-100.00%	
		<b>Obj Class Totals:</b>						<b>\$230,000.00</b>	<b>\$0.00</b>	<b>(\$230,000.00)</b>	<b>-100.00%</b>

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10501384	Sports Wagering Control Fund									
	MGC Regulatory Costs									
	1500	Commissioners								
	<b>Division/Bureau Totals:</b>						\$230,000.00	\$386,348.55	\$156,348.55	67.98%
	1800	Communications								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	Communications Employees Salaries		\$0.00	\$63,096.99	\$63,096.99	#Div/0!	
	<b>Obj Class Totals:</b>						\$0.00	\$63,096.99	\$63,096.99	#Div/0!
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%		\$0.00	\$27,421.95	\$27,421.95	#Div/0!	
			Taxes	Tax rate of 2.45%		\$0.00	\$1,545.88	\$1,545.88	#Div/0!	
	<b>Obj Class Totals:</b>						\$0.00	\$28,967.83	\$28,967.83	#Div/0!
	<b>Division/Bureau Totals:</b>						\$0.00	\$92,064.82	\$92,064.82	#Div/0!
	5000	Investigations and Enforcement Bureau								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	Admin Employees Salaries		\$286,929.20	\$769,907.29	\$482,978.09	168.33%	
	<b>Obj Class Totals:</b>						\$286,929.20	\$769,907.29	\$482,978.09	168.33%
	CC	SPECIAL EMPLOYEES								
	C23	Management, Business Professionals & Admin Services	Contract Employee	Civilian Investigators		\$393,600.00	\$124,800.00	(\$268,800.00)	-68.29%	
	<b>Obj Class Totals:</b>						\$393,600.00	\$124,800.00	(\$268,800.00)	-68.29%
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%		\$113,337.03	\$47,499.76	(\$65,837.27)	-58.09%	
			Taxes	Tax rate of 2.45%		\$5,308.19	\$305,894.71	\$300,586.52	5662.69%	
			Taxes	Tax rate of 2.45% on Civilian Investigators		\$7,281.60	\$3,057.60	(\$4,224.00)	-58.01%	
	<b>Obj Class Totals:</b>						\$125,926.82	\$356,452.07	\$230,525.25	183.06%
	HH	CONSULTANT SVCS (TO DEPTS)								
	HH1	Financial Services	Consultants	Consultants -RSM		\$1,000,000.00	\$750,000.00	(\$250,000.00)	-25.00%	
	<b>Obj Class Totals:</b>						\$1,000,000.00	\$750,000.00	(\$250,000.00)	-25.00%
	JJ	OPERATIONAL SERVICES								
	J25	Laboratory & Pharmaceutical Services	State Police	MSP GEU at Raynham Park		\$0.00	\$541,519.27	\$541,519.27	#Div/0!	
	<b>Obj Class Totals:</b>						\$0.00	\$541,519.27	\$541,519.27	#Div/0!
	<b>Division/Bureau Totals:</b>						\$1,806,456.02	\$2,542,678.63	\$736,222.61	40.76%
	5500	Sports Wagering								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	Regular Employee Salaries		\$212,610.54	\$631,101.39	\$418,490.85	196.83%	
	<b>Obj Class Totals:</b>						\$212,610.54	\$631,101.39	\$418,490.85	196.83%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10501384	Sports Wagering Control Fund									
	MGC Regulatory Costs									
	5500	Sports Wagering								
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	Out of State Travel	Out of State Licensee Visits and Conferences		\$0.00	\$4,000.00	\$4,000.00	#Div/0!
		B02	In-State Travel	In-State Travel	Licensee visits, in-state meetings and conferences Mileage Reimbursements		\$0.00	\$3,000.00	\$3,000.00	#Div/0!
		<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$7,000.00</b>	<b>\$7,000.00</b>	<b>#Div/0!</b>
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%		\$83,981.16	\$274,106.66	\$190,125.50	226.39%
				Taxes	Tax rate of 2.45%		\$3,933.29	\$15,461.99	\$11,528.70	293.11%
		<b>Obj Class Totals:</b>					<b>\$87,914.45</b>	<b>\$289,568.65</b>	<b>\$201,654.20</b>	<b>229.38%</b>
		EE	ADMINISTRATIVE EXPENSES							
		E02	Printing Expenses & Supplies	Printing & Administrative Supplies	SW Reports and Ad Hoc Reports		\$0.00	\$1,500.00	\$1,500.00	#Div/0!
		E12	Subscriptions, Memberships & Licensing Fees	Subscriptions, Memberships & Licensing Fees	SBRA membership, trade journals other subscriptions		\$0.00	\$7,500.00	\$7,500.00	#Div/0!
		E30	Credit Card Purchases	Credit Card Purchases	Credit Card Purchases		\$0.00	\$5,000.00	\$5,000.00	#Div/0!
		E41	Out Of State Travel Expen on Behalf of State Employ	Travel Agent	Travel Agency Fees		\$0.00	\$8,000.00	\$8,000.00	#Div/0!
		EE2	Conference, Training and Registration Fees	Conference, Training and Registration Fees	UNLV; G2E; NAGRA or SBRA meeting, SBC		\$0.00	\$12,500.00	\$12,500.00	#Div/0!
		<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$34,500.00</b>	<b>\$34,500.00</b>	<b>#Div/0!</b>
		UU	IT Non-Payroll Expenses							
		U03	Software & Information Technology Licenses (IT)	software	Incident Tracker		\$0.00	\$3,800.00	\$3,800.00	#Div/0!
		U05	Information Technology (IT) Temp Staff Augmentation Profs	IT Consultant	IT Consultant - GLI		\$520,000.00	\$60,000.00	(\$460,000.00)	-88.46%
		<b>Obj Class Totals:</b>					<b>\$520,000.00</b>	<b>\$63,800.00</b>	<b>(\$456,200.00)</b>	<b>-87.73%</b>
		<b>Division/Bureau Totals:</b>					<b>\$820,524.99</b>	<b>\$1,025,970.04</b>	<b>\$205,445.05</b>	<b>25.04%</b>
	7000	Licensing Division								
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive	Employee Compensation	Regular Employee Salaries		\$118,437.93	\$184,707.70	\$66,269.77	55.95%
		<b>Obj Class Totals:</b>					<b>\$118,437.93</b>	<b>\$184,707.70</b>	<b>\$66,269.77</b>	<b>55.95%</b>
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment	Fringe	Fringe rate of 43.36%		\$46,782.98	\$4,525.34	(\$42,257.64)	-90.33%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10501384	Sports Wagering Control Fund									
	MGC Regulatory Costs									
	7000	Licensing Division								
	D09	Fringe Benefit Cost Recoupment	Taxes	Tax rate of 2.45%	\$2,191.10	\$80,273.97	\$78,082.87	3563.64%		
	<b>Obj Class Totals:</b>				<b>\$48,974.08</b>	<b>\$84,799.31</b>	<b>\$35,825.23</b>	<b>73.15%</b>		
	<b>Division/Bureau Totals:</b>				<b>\$167,412.01</b>	<b>\$269,507.01</b>	<b>\$102,095.00</b>	<b>60.98%</b>		
	MGC Regulatory Costs	<b>Totals:</b>			<b>\$4,124,572.78</b>	<b>\$7,881,980.46</b>	<b>\$3,757,407.68</b>	<b>91.10%</b>		
	Indirect									
	2000	MGC Indirect								
	EE	ADMINISTRATIVE EXPENSES								
	E16	Indirect Cost Recoupment	Indirect	Commonwealth Required Indirect Cost Recoupment	\$401,067.08	\$440,545.25	\$39,478.17	9.84%		
	<b>Obj Class Totals:</b>				<b>\$401,067.08</b>	<b>\$440,545.25</b>	<b>\$39,478.17</b>	<b>9.84%</b>		
	<b>Division/Bureau Totals:</b>				<b>\$401,067.08</b>	<b>\$440,545.25</b>	<b>\$39,478.17</b>	<b>9.84%</b>		
	Indirect	<b>Totals:</b>			<b>\$401,067.08</b>	<b>\$440,545.25</b>	<b>\$39,478.17</b>	<b>9.84%</b>		
	Research and Responsible Gaming/PHTF									
	1700	Problem Gambling								
	HH	CONSULTANT SVCS (TO DEPTS)								
	HH1	Financial Services	Consultants	Statutorily Required Kiosk Study	\$150,000.00	\$0.00	(\$150,000.00)	-100.00%		
	<b>Obj Class Totals:</b>				<b>\$150,000.00</b>	<b>\$0.00</b>	<b>(\$150,000.00)</b>	<b>-100.00%</b>		
	UU	IT Non-Payroll Expenses								
	U03	Software & Information Technology Licenses (IT)	software	100 VSE database licenses	\$72,100.00	\$12,100.00	(\$60,000.00)	-83.22%		
	<b>Obj Class Totals:</b>				<b>\$72,100.00</b>	<b>\$12,100.00</b>	<b>(\$60,000.00)</b>	<b>-83.22%</b>		
	<b>Division/Bureau Totals:</b>				<b>\$222,100.00</b>	<b>\$12,100.00</b>	<b>(\$210,000.00)</b>	<b>-94.55%</b>		
	Research and Responsible Gaming/PHTF	<b>Totals:</b>			<b>\$222,100.00</b>	<b>\$12,100.00</b>	<b>(\$210,000.00)</b>	<b>-94.55%</b>		
<b>Appropriation Totals</b>					<b>\$4,747,739.86</b>	<b>\$8,334,625.71</b>	<b>\$3,586,885.85</b>	<b>75.55%</b>		

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
40001101											
			MGC Regulatory Costs								
		1100	Human Resources								
		AA	REGULAR EMPLOYEE COMPENSATION								
		A01	Salaries: Inclusive		Raises	5% COLA/Incentives/Equity Agency Wide	\$0.00	\$15,951.45	\$15,951.45	#Div/0!	
			<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$15,951.45</b>	<b>\$15,951.45</b>	<b>#Div/0!</b>
			<b>Division/Bureau Totals:</b>					<b>\$0.00</b>	<b>\$15,951.45</b>	<b>\$15,951.45</b>	<b>#Div/0!</b>
			<b>MGC Regulatory Costs Totals:</b>					<b>\$0.00</b>	<b>\$15,951.45</b>	<b>\$15,951.45</b>	<b>#Div/0!</b>
			Research and Responsible Gaming/PHTF								
		1700	Problem Gambling								
		AA	REGULAR EMPLOYEE COMPENSATION								
		A01	Salaries: Inclusive		Employee Compensation	Employee Salaries Possible Intern	\$313,023.39	\$319,029.04	\$6,005.65	1.92%	
			<b>Obj Class Totals:</b>					<b>\$313,023.39</b>	<b>\$319,029.04</b>	<b>\$6,005.65</b>	<b>1.92%</b>
		BB	REGULAR EMPLOYEE RELATED EXPEN								
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI		Travel	Out of State Travel	\$1,250.00	\$1,250.00	\$0.00	0.00%	
		B02	In-State Travel		Travel	In-State-Travel Reimbursements	\$6,000.00	\$6,000.00	\$0.00	0.00%	
			<b>Obj Class Totals:</b>					<b>\$7,250.00</b>	<b>\$7,250.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		DD	PENSION & INSURANCE RELATED EX								
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe rate of 43.36%	\$125,209.36	\$138,650.02	\$13,440.66	10.73%	
					Taxes	Tax rate of 2.45%	\$5,916.14	\$7,816.21	\$1,900.07	32.12%	
			<b>Obj Class Totals:</b>					<b>\$131,125.50</b>	<b>\$146,466.23</b>	<b>\$15,340.73</b>	<b>11.70%</b>
		EE	ADMINISTRATIVE EXPENSES								
		E02	Printing Expenses & Supplies		Printing Expenses and Supplies	Printed Materials for Game Sense	\$0.00	\$6,000.00	\$6,000.00	#Div/0!	
		E12	Subscriptions, Memberships & Licensing Fees		Memberships	Memberships - NAADGS, NCPG	\$0.00	\$6,000.00	\$6,000.00	#Div/0!	
		E16	Indirect Cost Recoupment		Indirect Charges	Indirect to EHHS	\$342,602.34	\$398,902.90	\$56,300.56	16.43%	
		EE2	Conference, Training and Registration Fees		Conferences	Conference, Training & Registration Fees	\$10,000.00	\$10,000.00	\$0.00	0.00%	
			<b>Obj Class Totals:</b>					<b>\$352,602.34</b>	<b>\$420,902.90</b>	<b>\$68,300.56</b>	<b>19.37%</b>
		FF	FACILITY OPERATIONAL EXPENSES								
		F16	Library & Teaching Supplies & Materials		Books	Library/reference books Increase as needed for research	\$0.00	\$1,000.00	\$1,000.00	#Div/0!	
			<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$1,000.00</b>	<b>\$1,000.00</b>	<b>#Div/0!</b>
		HH	CONSULTANT SVCS (TO DEPTS)								
		H09	Attorneys/Legal Services		Public Safety Research	Public Safety and Human Trafficking Research	\$38,000.00	\$115,000.00	\$77,000.00	202.63%	
		H23	Program Coordinators		Branding	GameSense media buys etc. ASG	\$150,000.00	\$150,000.00	\$0.00	0.00%	



Approp	Budget Grouping	Division/ Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
40001101										
				Research and Responsible Gaming/PHTF						
			1700	Problem Gambling						
			H23	Program Coordinators	GRAC/RDASC/Resear	Bruce Cohen--Joel Weissman/Jeff Moratta/Anthony Roman Other Consultants on Stipends Peer Review process for research agenda	\$0.00	\$0.00	\$0.00	#Num!
					Mass Council	Mass Council on Gaming & Health including employees to man Game Sense booth at PPC EBH and MGM --Staffed 16 hrs per day PPC and MGM, and 24 Hrs/day EBH --VSE --Play My Way --Required by Statute Chapter 194, Section 9	\$2,741,000.00	\$3,148,000.00	\$407,000.00	14.85%
					Program manager	RG Evaluation including GameSense	\$75,000.00	\$125,000.00	\$50,000.00	66.67%
					Program manager	TBD	\$0.00	\$0.00	\$0.00	#Num!
					Research Consultant	Research Review Committee	\$0.00	\$30,000.00	\$30,000.00	#Div/0!
					Research Consultant/ Umass	Research Consultant	\$0.00	\$0.00	\$0.00	#Num!
					Research Consultant/ Umass	Veterans Services Technical assistance	\$0.00	\$0.00	\$0.00	#Num!
					Translations	Knowledge Translation and Exchange	\$25,000.00	\$25,000.00	\$0.00	0.00%
					VSE Resource Liaison	VSE Resource Liaison	\$62,000.00	\$62,000.00	\$0.00	0.00%
					<b>Obj Class Totals:</b>		<b>\$3,091,000.00</b>	<b>\$3,655,000.00</b>	<b>\$564,000.00</b>	<b>18.25%</b>
			JJ	OPERATIONAL SERVICES						
			JJ2	Auxiliary Services	Translations	Document Translations Increase due to greater need for translation and diversity	\$10,000.00	\$15,000.00	\$5,000.00	50.00%
					<b>Obj Class Totals:</b>		<b>\$10,000.00</b>	<b>\$15,000.00</b>	<b>\$5,000.00</b>	<b>50.00%</b>
			PP	STATE AID/POL SUB						
			P01	Grants To Public Entities	Community Driven Research	Community Driven Research	\$210,000.00	\$210,000.00	\$0.00	0.00%
					Data Storage Grant	MODE DPH	\$75,000.00	\$75,000.00	\$0.00	0.00%
					SEIGMA	Social & Economic Research(SEIGMA) Follow-up General Population Study	\$1,015,000.00	\$995,000.00	(\$20,000.00)	-1.97%
					Umass	Magic Core/Optional--Cohort Study--Complete	\$0.00	\$0.00	\$0.00	#Num!
			PP1	Grants To Non-Public Entities	PMW	Play My Way Incentives	\$60,000.00	\$40,000.00	(\$20,000.00)	-33.33%
					<b>Obj Class Totals:</b>		<b>\$1,360,000.00</b>	<b>\$1,320,000.00</b>	<b>(\$40,000.00)</b>	<b>-2.94%</b>
			UU	IT Non-Payroll Expenses						
			U07	Information Technology (IT) Equipment	IT Non-Payroll Expenses	Crime Analysis Software	\$2,000.00	\$0.00	(\$2,000.00)	-100.00%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
40001101										
				Research and Responsible Gaming/PHTF						
			1700	Problem Gambling						
			U07	Information Technology (IT) Equipment	ITRAK	Development of ITRAK and Migration from Current Process	\$0.00	\$0.00	\$0.00	#Num!
				<b>Obj Class Totals:</b>			\$2,000.00	\$0.00	(\$2,000.00)	-100.00%
				<b>Division/Bureau Totals:</b>			\$5,267,001.23	\$5,884,648.17	\$617,646.94	11.73%
				Research and Responsible Gaming/PHTF	<b>Totals:</b>		\$5,267,001.23	\$5,884,648.17	\$617,646.94	11.73%
				<b>Appropriation Totals</b>			\$5,267,001.23	\$5,900,599.62	\$633,598.39	12.03%

# Next Year Budget By Object Class for Commission

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
			MGC Regulatory Costs							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive	1000	Employee Compensation	Employee Salaries	\$441,410.91	\$493,065.26	\$51,654.35	11.70%
				1100	Employee Compensation	Employee Salaries	\$358,979.39	\$411,669.92	\$52,690.53	14.68%
				1100	Raises	5% COLA/Incentives/Equity Agency Wide	\$231,746.75	\$373,232.00	\$141,485.25	61.05%
				1200	Employee Compensation	Employee Salaries	\$486,845.71	\$585,339.16	\$98,493.45	20.23%
				1300	Employee Compensation	Employee Salaries	\$441,495.38	\$313,017.21	(\$128,478.17)	-29.10%
				1400	Employee Compensation	Employee Salaries	\$891,382.92	\$1,039,345.34	\$147,962.42	16.60%
				1500	Employee Compensation	Employee Compensation	\$815,872.68	\$595,397.04	(\$220,475.64)	-27.02%
				1600	Employee Compensation	Employee Salaries consolidated into HR	\$0.00	\$0.00	\$0.00	#Num!
				1800	Employee Compensation	Regular Salaries	\$192,021.01	\$143,905.41	(\$48,115.60)	-25.06%
				1900	Employee Compensation	Regular Employees	\$102,061.04	\$114,521.78	\$12,460.74	12.21%
				5000	Employee Compensation	Employee Salaries	\$3,639,412.54	\$3,931,409.73	\$291,997.19	8.02%
				7000	Employee Compensation	Regular Employee Salaries	\$591,539.70	\$653,328.24	\$61,788.54	10.45%
				All	Regular Employee Compensation	Turnover Savings	(\$350,000.00)	(\$350,000.00)	\$0.00	0.00%
				All	Salaries	1st quarter Payroll Increase	\$127,623.77	\$0.00	(\$127,623.77)	-100.00%
				All	Turnover Savings	Projected Turnover in addition to initial \$250K.	\$0.00	\$0.00	\$0.00	#Num!
		A08	Overtime Pay	5000	Overtime	Overtime for Gaming Agents.	\$100,000.00	\$100,000.00	\$0.00	0.00%
				5000	Overtime	Overtime increase for 2nd half of fiscal year Gaming Agents	\$0.00	\$0.00	\$0.00	#Num!
		A13	Vacation-In-Lieu	1100	Employee Compensation	Buyouts	\$40,000.00	\$0.00	(\$40,000.00)	-100.00%
			<b>Obj Class Totals:</b>				<b>\$8,110,391.80</b>	<b>\$8,404,231.09</b>	<b>\$293,839.29</b>	<b>3.62%</b>
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	1000	Travel	Out of State Travel	\$1,500.00	\$3,000.00	\$1,500.00	100.00%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	1100	Travel	Other Out of State Travel-Inclusive Airfare, Hotel, Lodging Gaming Conference	\$500.00	\$500.00	\$0.00	0.00%
				1200	Travel	Out of State Travel and Training	\$6,250.00	\$6,250.00	\$0.00	0.00%
				1300	Travel	Conferences Out of State	\$4,500.00	\$4,500.00	\$0.00	0.00%
				1400	Travel	Out of State Travel G2E/Gartner	\$1,875.00	\$1,875.00	\$0.00	0.00%
				1500	Travel Reimbursements	Travel Reimbursements --In State (6 Commission Meetings a Year, Site Visits) --Out of Pocket Out of State Expenses	\$18,000.00	\$18,000.00	\$0.00	0.00%
				1600	Travel	Other Out of State Travel-Inclusive Airfare, Hotel, Lodging --Las Vegas Gaming Conference G2E	\$0.00	\$0.00	\$0.00	#Num!
				5000	Travel	Out of state travel reimbursements for gaming enforcement agents and non-state police staff	\$11,250.00	\$15,000.00	\$3,750.00	33.33%
				7000	Travel	Out-of State Travel Reimbursements	\$1,875.00	\$1,875.00	\$0.00	0.00%
		All			Travel	NA	\$0.00	\$0.00	\$0.00	#Num!
		B02	In-State Travel	1000	Travel	In-State Travel	\$1,330.00	\$3,000.00	\$1,670.00	125.56%
				1100	Travel	In State Travel	\$1,995.00	\$0.00	(\$1,995.00)	-100.00%
				1100	Travel	In-state Travel AOC as well as site visits of licensees	\$3,990.00	\$5,985.00	\$1,995.00	50.00%
				1200	Travel	In State Travel	\$2,400.00	\$2,400.00	\$0.00	0.00%
				1300	Travel	In-State Mileage and Reimbursements	\$4,023.25	\$4,023.25	\$0.00	0.00%
				1400	Travel	In-state travel	\$3,750.00	\$3,750.00	\$0.00	0.00%
				1600	Travel	In-state Travel AOC as well as site visits of licensees	\$0.00	\$0.00	\$0.00	#Num!
				1800	Travel Reimbursement	In-State Travel Reimbursement	\$4,488.75	\$4,488.75	\$0.00	0.00%
				1900	In State Travel Reimbursement	In-State Travel Reimbursement and Out of State --Visits to Other Licensee Sites	\$2,992.50	\$2,992.50	\$0.00	0.00%
				5000	Travel	In-state-travel reimbursements for gaming enforcement agents and non-state police staff	\$7,980.00	\$7,980.00	\$0.00	0.00%
				7000	Travel	In-State Travel Reimbursements--Fingerprinting Reimbursements	\$997.50	\$997.50	\$0.00	0.00%
		B05	Conference, Training, Registration and Membership Dues and L	1200	Professional Licenses	Professional and Bar Licenses	\$1,500.00	\$6,000.00	\$4,500.00	300.00%
		B10	Exigent Job Related Expenses	1400	Travel	Exigent Job Related Expenses	\$0.00	\$0.00	\$0.00	#Num!
		B11	Employer Refund of Non-Tax Benefits	1400	Travel	Employer Refund of Non-Tax Benefits	\$0.00	\$0.00	\$0.00	#Num!
			<b>Obj Class Totals:</b>				<b>\$81,197.00</b>	<b>\$92,617.00</b>	<b>\$11,420.00</b>	<b>14.06%</b>

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		CC	SPECIAL EMPLOYEES							
		C05	Contracted Student Interns	1800	Intern	Student Intern-Co-op	\$0.00	\$0.00	\$0.00	#Num!
		C23	Management, Business Professionals & Admin Services	1000	Contract Employee	Administrative Help 960	\$43,022.52	\$0.00	(\$43,022.52)	-100.00%
				1100	Contract Employee	Administrative Help	\$0.00	\$52,000.00	\$52,000.00	#Div/0!
				1800	Contract Employee	Contract Employee	\$0.00	\$0.00	\$0.00	#Num!
				5000	Contract Employee	Contracted Civilian Investigators	\$205,000.00	\$124,800.00	(\$80,200.00)	-39.12%
				5000	Contract Employees	Prior Year Adjustment	\$0.00	\$0.00	\$0.00	#Num!
			<b>Obj Class Totals:</b>				<b>\$248,022.52</b>	<b>\$176,800.00</b>	<b>(\$71,222.52)</b>	<b>-28.72%</b>
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment	1000	Fringe	Fringe rate of 43.36%	\$176,564.37	\$214,286.16	\$37,721.79	21.36%
				1000	Taxes	Tax rate of 2.45%	\$9,155.79	\$12,080.10	\$2,924.31	31.94%
				1100	Fringe	Fringe rate of 43.36%	\$143,591.76	\$178,911.75	\$35,319.99	24.60%
				1100	Taxes	Tax rate of 2.45%	\$6,784.71	\$10,085.91	\$3,301.20	48.66%
				1200	Fringe	Fringe rate of 43.36%	\$194,738.28	\$199,794.49	\$5,056.21	2.60%
				1200	Taxes	Tax rate of 2.45%	\$9,201.38	\$13,146.43	\$3,945.05	42.87%
				1300	Fringe	Fringe rate of 43.36%	\$176,598.15	\$136,037.28	(\$40,560.87)	-22.97%
				1300	Taxes	Tax rate of 2.45%	\$8,344.26	\$7,668.92	(\$675.34)	-8.09%
				1400	Fringe	Fringe rate of 43.36%	\$356,553.17	\$451,635.26	\$95,082.09	26.67%
				1400	Taxes	Tax rate of 2.45%	\$16,847.14	\$25,463.96	\$8,616.82	51.15%
				1500	Fringe	Fringe rate of 43.36%	\$326,349.07	\$258,759.55	(\$67,589.52)	-20.71%
				1500	Taxes	Tax rate of 2.45%	\$15,419.99	\$14,587.23	(\$832.76)	-5.40%
				1600	Fringe	Fringe consolidated into HR	\$0.00	\$0.00	\$0.00	#Num!
				1600	Taxes	Tax rate consolidated into HR	\$0.00	\$0.00	\$0.00	#Num!
				1800	Fringe	Fringe rate of 43.36%	\$76,808.40	\$62,541.29	(\$14,267.11)	-18.57%
				1800	Taxes	Tax rate of 2.45%	\$3,629.20	\$3,525.68	(\$103.52)	-2.85%
				1900	Fringe	Fringe rate of 43.36%	\$40,824.42	\$49,771.17	\$8,946.75	21.92%
				1900	Taxes	Tax rate of 2.45%	\$1,928.95	\$2,805.78	\$876.83	45.46%
				5000	Fringe	Fringe rate of 43.36%	\$1,455,765.02	\$1,708,290.66	\$252,525.64	17.35%
				5000	Taxes	Tax rate of 2.45%	\$68,784.90	\$96,319.54	\$27,534.64	40.03%
				5000	Taxes	Taxes on CC Employees 2.45%	\$4,038.50	\$3,057.60	(\$980.90)	-24.29%
				7000	Fringe	Fringe rate of 43.36%	\$236,615.87	\$283,936.45	\$47,320.58	20.00%
				7000	Taxes	Tax rate of 2.45%	\$11,180.10	\$16,006.54	\$4,826.44	43.17%
				All	Fringe and Payroll Taxes	Fringe and Payroll Taxes on 1st quarter Payroll Increase	\$53,461.60	\$0.00	(\$53,461.60)	-100.00%
				All	Fringe and Payroll Taxes	Fringe and Payroll Taxes on 2nd quarter turnover savings	\$0.00	\$0.00	\$0.00	#Num!

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		D09	Fringe Benefit Cost Recoupment	All	Fringe and Payroll Taxes	Fringe and Payroll Taxes on Turnover Savings (45.81%)	(\$146,615.00)	(\$160,335.00)	(\$13,720.00)	9.36%
		D15	Workers' Compensation Chargebacks	1100	Worker's Comp Chargeback	Worker's Comp Chargeback	\$5,000.00	\$5,000.00	\$0.00	0.00%
		<b>Obj Class Totals:</b>					<b>\$3,251,570.03</b>	<b>\$3,593,376.77</b>	<b>\$341,806.74</b>	<b>10.51%</b>
	EE	ADMINISTRATIVE EXPENSES								
	E01	Office & Administrative Supplies	1000	Supplies	Adoni Spring Water/Milhench		\$4,000.00	\$4,000.00	\$0.00	0.00%
			1000	Supplies	Cam Office Supplies		\$9,500.00	\$9,500.00	\$0.00	0.00%
			1000	Supplies	W.B. Mason/Veteran's Business Supply		\$40,000.00	\$40,000.00	\$0.00	0.00%
			1200	Supplies	Office Supplies		\$5,000.00	\$5,000.00	\$0.00	0.00%
			1400	Supplies	Office and Administrative Supplies		\$300.00	\$300.00	\$0.00	0.00%
			5000	Supplies	Supplies		\$5,000.00	\$5,000.00	\$0.00	0.00%
	E02	Printing Expenses & Supplies	1000	Printing	Millenium/RazzMTazz/MG Products		\$2,500.00	\$2,500.00	\$0.00	0.00%
			1100	Printing	Printing of Reports and Best Practices		\$5,000.00	\$5,000.00	\$0.00	0.00%
			1400	Printers	Printers @\$250/printer		\$300.00	\$300.00	\$0.00	0.00%
			1500	Office Supplies	Lane Printing, etc.		\$200.00	\$200.00	\$0.00	0.00%
			1600	Printing	Printing of Reports and Best Practices		\$0.00	\$0.00	\$0.00	#Num!
			1800	Printing	Printing		\$6,100.00	\$6,100.00	\$0.00	0.00%
			7000	Supplies	Supplies		\$7,500.00	\$7,500.00	\$0.00	0.00%
	E05	Postage Chargeback	1000	Postage	ITD PAD Chargeback for postal Services		\$2,743.92	\$2,743.92	\$0.00	0.00%
	E06	Postage	1000	Postage	Postage for Ashburton Mail Room		\$2,400.00	\$2,400.00	\$0.00	0.00%
			1000	Postage	Postage for Pitney Bowes, Fed Ex, UPS		\$3,000.00	\$3,000.00	\$0.00	0.00%
			7000	Postage	Federal Express Charges		\$1,500.00	\$1,500.00	\$0.00	0.00%
	E12	Subscriptions, Memberships & Licensing Fees	1000	Subscriptions	Go To Meeting		\$0.00	\$0.00	\$0.00	#Num!
			1100	Administrative Expenses	Marketing Sponsorships of Diversity and Opportunity Events GNEMSCD, UMASS, Collette Philips		\$15,000.00	\$15,000.00	\$0.00	0.00%
			1100	Subscriptions	Human Resource Information System		\$5,000.00	\$5,000.00	\$0.00	0.00%
			1100	Subscriptions	Subscriptions, Memberships & Licensing Fees SHRM, NEHRA, The Partnership		\$20,000.00	\$20,000.00	\$0.00	0.00%
			1200	Subscription	Legal Subscription - Law360		\$0.00	\$3,700.00	\$3,700.00	#Div/0!
			1200	Subscriptions	Subscriptions and Memberships Westlaw ABA		\$15,000.00	\$15,000.00	\$0.00	0.00%
			1200	Subscriptions	nstatrac Subscription		\$0.00	\$4,650.00	\$4,650.00	#Div/0!
			1300	Memberships	NAGR		\$500.00	\$500.00	\$0.00	0.00%
			1400	Subscriptions	Pagefreezer, Gaming Compliance		\$18,676.00	\$18,676.00	\$0.00	0.00%
			1500	Subscriptions	Trade Journals		\$5,950.00	\$5,950.00	\$0.00	0.00%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		E12	Subscriptions, Memberships & Licensing Fees	1600	Administrative Expenses	Marketing Sponsorships of Diversity and Opportunity Events GNEMSCD, UMASS, Collette Philips	\$0.00	\$0.00	\$0.00	#Num!
				1800	Subscriptions	Subscriptions, Licensing, Memberships	\$35,650.00	\$35,650.00	\$0.00	0.00%
				1900	Subscriptions/Memberships	Instatrac subscription	\$0.00	\$0.00	\$0.00	#Num!
				5000	Subscriptions	Lexis Nexis,Hire Authority, Nat.Student Loan Increase of \$500/month for GOLD Subscription Service	\$86,000.00	\$101,000.00	\$15,000.00	17.44%
		E13	Advertising Expenses	1200	Reg Advertising	Advertising of Regs and Meetings	\$10,000.00	\$10,000.00	\$0.00	0.00%
		E15	Bottled Water	1000	Water	Quench	\$1,500.00	\$1,500.00	\$0.00	0.00%
		E18	State Single Audit Chargeback	1000	Chargeback	Chargeback Single State Audit	\$500.00	\$500.00	\$0.00	0.00%
		E19	Fees, Fines, Licenses, Permits & Chargebacks	1000	Fees, Fines, Licensed, Chargebakcs	EZ Pass/Occupancy/Commissions	\$1,700.00	\$1,700.00	\$0.00	0.00%
				1100	Licenses	Fees, Fines, Licenses, Permits & Chargebacks for HRCMS and HRD	\$9,000.00	\$9,000.00	\$0.00	0.00%
		E20	Motor Vehicle Chargeback	1000	OVM	Motorized Vehicle Chargeback--Lease of ford fusion	\$0.00	\$0.00	\$0.00	#Num!
				5000	Motor Vehcile Lease	OVM Chargeback	\$6,110.00	\$6,110.00	\$0.00	0.00%
		E22	Temp Use Space/Confer-Incidental Includes Reservation Fees	1000	Laz Parking/VPNE	Parking at 33 Arch St.	\$54,000.00	\$54,000.00	\$0.00	0.00%
				1100	Conference Incidentals	Conference Incidentals	\$5,000.00	\$5,000.00	\$0.00	0.00%
				1100	Conferences	Workforce/Diversity Meetings--Digital also	\$7,000.00	\$7,000.00	\$0.00	0.00%
				1500	75-101 Parking Garage	Parking 75-101--5 spaces. Two of the spaces are included in the lease. This item pays for 3 of the spaces.	\$18,720.00	\$0.00	(\$18,720.00)	-100.00%
				1500	Meeting Space	Temporary Space @ 6mtgs - \$2K meeting space 6 mtgs and \$5k to stream for 4 of the meetings	\$32,000.00	\$32,000.00	\$0.00	0.00%
				1500	Team Building	Team Building, Agency Conferences	\$0.00	\$8,000.00	\$8,000.00	#Div/0!
				1600	Conferences	Workforce/Diversity Meetings--Digital also	\$0.00	\$0.00	\$0.00	#Num!
				1900	Conferences and Incidentals	Gaming Policy Advisory Committee	\$0.00	\$0.00	\$0.00	#Num!
		E30	Credit Card Purchases	1000	Credit Card	Credit Card Incidental Purchases	\$2,000.00	\$2,000.00	\$0.00	0.00%
				1100	Credit Card Charges	FIA Card	\$1,000.00	\$3,000.00	\$2,000.00	200.00%
				1200	Credit Card	Credit Card Purchases	\$0.00	\$5,000.00	\$5,000.00	#Div/0!
				1300	Credit Card	Credit Card Purchases	\$5,000.00	\$5,000.00	\$0.00	0.00%
				1400	Credit Card	Credit Card Purchases; \$400 Domain GOV Renewal	\$1,000.00	\$1,000.00	\$0.00	0.00%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		E30	Credit Card Purchases	1500	Credit Card	Allowable Credit Card Expenses	\$7,500.00	\$7,500.00	\$0.00	0.00%
				5000	Credit Card	Credit Card Purchases	\$15,000.00	\$15,000.00	\$0.00	0.00%
		E41	Out Of State Travel Expen on Behalf of State Employ	1000	Travel	Travel Agency Fees	\$2,500.00	\$2,500.00	\$0.00	0.00%
				1100	Travel	Travel Agent	\$1,000.00	\$1,000.00	\$0.00	0.00%
				1200	Conference, Training, Registion Fees	Conference, Training, Registion Fees	\$6,250.00	\$6,250.00	\$0.00	0.00%
				1200	Travel	Conference/Trainings Travel and Lodging for FTEs	\$2,500.00	\$2,500.00	\$0.00	0.00%
				1400	Travel	Travel Agent Expenses	\$0.00	\$0.00	\$0.00	#Num!
				1500	Travel Agency Fees	Travel	\$10,000.00	\$10,000.00	\$0.00	0.00%
				1600	Travel	Travel Agent	\$0.00	\$0.00	\$0.00	#Num!
				5000	Travel Agent	Travel Agent for Trainings and Investigations	\$75,000.00	\$100,000.00	\$25,000.00	33.33%
				7000	Travel Agent	Travel Leaders G2E for meetings with Vendors and Licensing of Primaries	\$7,000.00	\$7,000.00	\$0.00	0.00%
		E42	In-State Travel & Related Expen on Behalf of State Employees	1400	Travel Agent	In-State Travel and Related Expenses	\$0.00	\$0.00	\$0.00	#Num!
		EE2	Conference, Training and Registration Fees	1000	Conference Registrations	Registration Fees	\$1,125.00	\$1,125.00	\$0.00	0.00%
				1100	Conference, Training Registration Fees	GNEMSDC, Umass, Colette Phillips	\$5,500.00	\$5,500.00	\$0.00	0.00%
				1100	Training	Conference, Training and Registration Fees	\$500.00	\$500.00	\$0.00	0.00%
				1300	Gaming Forum	Travel allocated to divisions	\$0.00	\$0.00	\$0.00	#Num!
				1300	Travel	NA	\$0.00	\$0.00	\$0.00	#Num!
				1300	Travel and Conf	Conference, Training and Registration Fees	\$5,000.00	\$5,000.00	\$0.00	0.00%
				1400	Conference	Conference, Training and Registrations Fees	\$2,500.00	\$2,500.00	\$0.00	0.00%
				1500	Registration Fees	Conference/Trainings	\$7,000.00	\$7,000.00	\$0.00	0.00%
				1600	Conference, Training Registration Fees	GNEMSDC, Umass, Colette Phillips	\$0.00	\$0.00	\$0.00	#Num!
				5000	Registrations	Training/Conference Registration Fees.	\$26,250.00	\$30,000.00	\$3,750.00	14.29%
				7000	Conferences	Conference, Training & Registration.	\$4,000.00	\$4,000.00	\$0.00	0.00%
		EE9	Employee Recognition Chargeback	1100	Employee Morale	Employee Recognition Program	\$5,000.00	\$5,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$634,974.92</b>	<b>\$683,354.92</b>	<b>\$48,380.00</b>	<b>7.62%</b>
		FF	FACILITY OPERATIONAL EXPENSES							
		F09	Clothing & Footwear	5000	Programatic Supplies	Clothing and Footwear	\$20,000.00	\$20,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$20,000.00</b>	<b>\$20,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>



Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		GG	ENERGY COSTS AND SPACE RENTAL							
		G01	Space Rental	1000	Office Lease	101 Federal St. 12 months	\$1,312,322.64	\$949,257.12	(\$363,065.52)	-27.67%
				1400	Data Center	Increase \$85,158.72 for IGT move Data Center Costs (Rack Space, maintenance for 2 Data Centers)	\$0.00	\$85,158.72	\$85,158.72	#Div/0!
				1500	75-101 Parking Garage	Parking 75-101--5 spaces. Two of the spaces are included in the lease. This item pays for 3 of the spaces.	\$0.00	\$13,642.20	\$13,642.20	#Div/0!
		G03	Electricity	1000	Electricity	101 Federal St. 12 months	\$32,635.44	\$23,334.34	(\$9,301.10)	-28.50%
		G05	Fuel For Vehicles	1000	Gas	Wex Bank/Gulf	\$3,000.00	\$3,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$1,347,958.08</b>	<b>\$1,074,392.38</b>	<b>(\$273,565.70)</b>	<b>-20.29%</b>
		HH	CONSULTANT SVCS (TO DEPTS)							
		H09	Attorneys/Legal Services	1000	Insurance	Comprehensive Insurance Policy	\$163,500.00	\$163,500.00	\$0.00	0.00%
				1100	Legal Consultants	Employment Lawyers	\$5,000.00	\$5,000.00	\$0.00	0.00%
				1100	Worker's Comp	Workers Comp Litigation Fees	\$5,000.00	\$5,000.00	\$0.00	0.00%
				1200	Legal	NA	\$0.00	\$0.00	\$0.00	#Num!
				1200	Litigation Defense	Outside Counsel Litigation Defense	\$400,000.00	\$400,000.00	\$0.00	0.00%
				1200	Outside Counsel	General Practice, Regulations, Laws, etc.	\$75,000.00	\$75,000.00	\$0.00	0.00%
				1200	Outside Counsel	Increase for Consultation for New Union Initiative Labor Employment Law	\$25,000.00	\$50,000.00	\$25,000.00	100.00%
		H19	Management Consultants	1000	Outside Consultant	CPA Firm for Annual Audits consistent with Generally Accepted Auditing Standards	\$70,000.00	\$70,000.00	\$0.00	0.00%
				1200	Hearing Officer	Hearing Officer	\$40,000.00	\$40,000.00	\$0.00	0.00%
				1300	Strategic Consultant	General Consultant needs for Commissioners or Executive Director	\$10,000.00	\$10,000.00	\$0.00	0.00%
		H23	Program Coordinators	1100	Consultants	Diversity Equity and Inclusion RFR or SWC	\$0.00	\$50,000.00	\$50,000.00	#Div/0!
				1500	Consultant	General Consulting	\$0.00	\$10,000.00	\$10,000.00	#Div/0!
				1500	Consultant	NA	\$0.00	\$0.00	\$0.00	#Num!
				1500	Monitor	Independent Monitor bills paid in 2nd quarter of FY22	\$50,771.80	\$0.00	(\$50,771.80)	-100.00%
				1500	Monitor	Independent Monitor bills paid in first quarter of FY22	\$32,608.40	\$0.00	(\$32,608.40)	-100.00%
				1500	Monitor	Prior Year Adjustment	\$0.00	\$0.00	\$0.00	#Num!
				5000	Outside Consultant	HLT Background	\$0.00	\$0.00	\$0.00	#Num!
		HH3	Media Design, Editorial and Communication	1600	Media Design	One Time Instance - Impact Report Design	\$0.00	\$0.00	\$0.00	#Num!
				1800	Website Design	Marketing & Website Design	\$25,000.00	\$25,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$901,880.20</b>	<b>\$903,500.00</b>	<b>\$1,619.80</b>	<b>0.18%</b>
		JJ	OPERATIONAL SERVICES							

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		J10	Auxiliary Financial Services	1000	Auxiliary Financial Services	Credit Card Fees/BillMatrix	\$200.00	\$200.00	\$0.00	0.00%
		J25	Laboratory & Pharmaceutical Services	5000	Everett Police	EPDEverett Police GEU 7FTE's	\$1,333,235.00	\$1,666,543.75	\$333,308.75	25.00%
				5000	Finger Prints State Police	Chargeback for Finger Print Costs for Licenses @ \$50/set and ~4.5K prints	\$50,000.00	\$50,000.00	\$0.00	0.00%
				5000	Plainville Police Salaries	Plainville Local Police	\$411,044.56	\$412,743.22	\$1,698.66	0.41%
				5000	Plainville Police Salaries	Plainville Local Police amendment for unpaid invoice from FY19	\$0.00	\$0.00	\$0.00	#Num!
				5000	Springfield Police Salaries	SPDSpringfield Police GEU 6 FTEs Amendment for FY21 costs billed in FY22	\$0.00	\$0.00	\$0.00	#Num!
				5000	Springfield Police Salaries	SPDSpringfield Police GEU 7 FTEs	\$1,014,612.49	\$1,089,648.14	\$75,035.65	7.40%
				5000	State Police	MSP MGC Salaries for MGC Investigations and Background Unit	\$961,673.22	\$983,275.34	\$21,602.12	2.25%
				5000	State Police	MSPMGC State Police Troopers Plainville Straight Time and Payroll Taxes	\$1,193,336.14	\$1,316,353.58	\$123,017.44	10.31%
				5000	State Police	MSPMGC State Troopers Everett	\$1,646,713.44	\$1,793,626.06	\$146,912.62	8.92%
				5000	State Police	MSPMSP Staff Costs at MGM 16 FTEs	\$1,830,943.32	\$1,890,486.33	\$59,543.01	3.25%
				5000	State Police	Prior Year Adjustment	\$0.00	\$0.00	\$0.00	#Num!
				5000	State Police OT & Travel	Increase of 6.75% for bargaining unit OT and Travel for Troopers assigned to MGC GEU	\$1,926,100.00	\$2,056,111.75	\$130,011.75	6.75%
		J28	Law Enforcement	5000	Lease Vehicles	Plainville Law Enforcement Vehicles	\$8,877.39	\$8,877.39	\$0.00	0.00%
		J33	Photographic & Micrographic Services	1500	Stenographer	Transcriptions services	\$10,000.00	\$0.00	(\$10,000.00)	-100.00%
		J46	Temporary Help Services	1100	Temp Help	Temp help/interns/diversity	\$75,000.00	\$75,000.00	\$0.00	0.00%
		J50	Instructors/Lecturers/Trainers	1300	Training	Upper Management Training	\$5,000.00	\$5,000.00	\$0.00	0.00%
				1400	Training	Technical Training not available on LinkedIn	\$5,000.00	\$5,000.00	\$0.00	0.00%
		JJ1	Legal Support Services	1200	Operational Services	Offsite Storage - \$50 per month charge if boxes are pulled	\$750.00	\$750.00	\$0.00	0.00%
				1400	Litigation	Target Litigation Backup	\$0.00	\$0.00	\$0.00	#Num!
		JJ2	Auxiliary Services	1000	Courier	USA Couriers	\$300.00	\$300.00	\$0.00	0.00%
				1000	Shredding	ProShred	\$1,615.00	\$1,615.00	\$0.00	0.00%
				1100	HR Investigations	HR Investigations	\$10,000.00	\$10,000.00	\$0.00	0.00%
				1100	Testing	All One Health Resouces	\$3,000.00	\$3,000.00	\$0.00	0.00%
				1800	Streaming	Streaming & Production of Public Meetings	\$23,000.00	\$23,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$10,510,400.56</b>	<b>\$11,391,530.56</b>	<b>\$881,130.00</b>	<b>8.38%</b>
		KK	EQUIPMENT PURCHASE							
		K05	Office Equipment	1800	Equipment Purchases	Increased to purchase additional Photography/Streaming Equipment Net Zero Purchase	\$5,000.00	\$5,000.00	\$0.00	0.00%
		K07	Office Furnishings	1400	Office Equipment	Creative Office Pavillion	\$5,000.00	\$5,000.00	\$0.00	0.00%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		K07	Office Furnishings	1500	Office Equipment	Office Furnishings	\$5,000.00	\$5,000.00	\$0.00	0.00%
				5000	Equipment Purchase	Current year Qtr1 budget adjustment	\$0.00	\$0.00	\$0.00	#Num!
				5000	Office Equipment	Patrol Rifles/Active Shooter Gear-- Replacement/Upgrade of Fingerprint Machines to be Windows Compliant	\$47,000.00	\$47,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$62,000.00</b>	<b>\$62,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		LL	<i>EQUIPMENT LEASE-MAINTAIN/REPAR</i>							
		L24	Motorized Vehicle Equipment Rental or Lease	1000	Rental Cars	Enterprise Car Rental	\$500.00	\$500.00	\$0.00	0.00%
				1400	Rental Cars	Enterprise	\$0.00	\$0.00	\$0.00	#Num!
		L25	Office Equipment Rental or Lease	1000	Printing	Pitney Bowes	\$607.90	\$607.90	\$0.00	0.00%
		L26	Printing/Photocopy & Micrographics Equip Rent/Lease	1000	Copier	Canon Financial Services Recurring Payments for 13th floor and IEB Per Click costs of \$2.5K	\$10,100.00	\$10,100.00	\$0.00	0.00%
				7000	Equipment Leases	3 Scanner Leases	\$10,000.00	\$10,000.00	\$0.00	0.00%
		L46	Print, Photocopying & Micrograph Equipment Maint/Repair	1000	Copier	Canon USA/Maintenance & Repair--Initial Contract Rate Ended	\$5,000.00	\$5,000.00	\$0.00	0.00%
				1000	Xerox Leases	6 Machines average \$300 per month Xerox Leases Recurring Payments of \$11.1K for 3 machines Per Click costs of \$3.2K (avg of this year)	\$15,500.00	\$21,600.00	\$6,100.00	39.35%
			<b>Obj Class Totals:</b>				<b>\$41,707.90</b>	<b>\$47,807.90</b>	<b>\$6,100.00</b>	<b>14.63%</b>
		NN	<i>INFRASTRUCTURE:</i>							
		N50	Non-Major Facility Infrastructure Maintenance and Repair	1000	Repairs	Office/Building Repairs	\$5,000.00	\$5,000.00	\$0.00	0.00%
				1400	Facilities Maintenance	\$4,450 Annual Main & Support, Parts/HVAC monitoring; Viscom \$1,500 Building Security	\$10,000.00	\$10,000.00	\$0.00	0.00%
				5000	Non-Major Facility Maintenance & Repair	Office Reconfiguration	\$10,000.00	\$15,000.00	\$5,000.00	50.00%
			<b>Obj Class Totals:</b>				<b>\$25,000.00</b>	<b>\$30,000.00</b>	<b>\$5,000.00</b>	<b>20.00%</b>
		PP	<i>STATE AID/POL SUB</i>							
		P01	Grants To Public Entities	1100	Grants	Worforce Development and Diversity Grants	\$150,000.00	\$150,000.00	\$0.00	0.00%
				1600	Grants	Completed - MCCA contribution to Workforce Development	\$0.00	\$0.00	\$0.00	#Num!
				1600	Grants	Worforce Development and Diversity Grants --Business Technical Assistance --Women in Construction --Regional WF Collaborations	\$0.00	\$0.00	\$0.00	#Num!
			<b>Obj Class Totals:</b>				<b>\$150,000.00</b>	<b>\$150,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		UU	<i>IT Non-Payroll Expenses</i>							

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		U01	Telecommunications Services Data	1400	TELECOMMUNICAT IONS SERVICES DATA	Increase \$68,556.16 for IGT Move Surveillance, CMS Primary/Backup Circuits, Lab Line, Windstream Services (VPN, LAN, WAN redundancy) etc	\$278,584.06	\$372,140.22	\$93,556.16	33.58%
		U02	Telecommunications Services - Voice	1400	TELECOMMUNICAT IONS SERVICES - VOICE	OfficeSuite (Voice, HD Meeting, WeConnect), Verizon Wireless, Multi-location fax lines	\$112,710.12	\$80,587.74	(\$32,122.38)	-28.50%
		U03	Software & Information Technology Licenses (IT)	1000	Software	Software - LinkSquares CLM	\$0.00	\$35,750.00	\$35,750.00	#Div/0!
				1100	Software	HR Employee Review Software	\$0.00	\$10,725.00	\$10,725.00	#Div/0!
				1200	Software	Relativity Document Search and PIR Tool	\$0.00	\$0.00	\$0.00	#Num!
				1400	SOFTWARE & INFORMATION TECHNOLOGY LICENSES (IT)	Increase \$86,671.56 for Azure Sentinel, M365 G5 Compliance, M365 G5 Security Adobe, Sharepoint, O365, Azure, JIRA, MDM etc	\$455,310.48	\$387,517.16	(\$67,793.32)	-14.89%
				5000	Software	ITRACK- Omnigo	\$11,700.00	\$13,000.00	\$1,300.00	11.11%
		U04	Information Technology Chargeback	1400	INFORMATION TECHNOLOGY CHARGEBACK	ITD/BCS Chargeback	\$63,226.34	\$0.00	(\$63,226.34)	-100.00%
		U05	Information Technology (IT) Temp Staff Augmentation Profs	1000	IT Consultants	Diversity Consultants	\$25,000.00	\$25,000.00	\$0.00	0.00%
				1000	IT Consultants	Web penetration Testing	\$8,000.00	\$8,000.00	\$0.00	0.00%
				1400	CMS - \$2,484,206.46	CMS - IGT Intelligen (PPC, MGM, EBH)	\$2,326,368.27	\$2,326,368.27	\$0.00	0.00%
				1400	CONSULTING - \$75,000	IT Consulting Support (TBD)	\$50,000.00	\$50,000.00	\$0.00	0.00%
				1400	IGT NOC Migration	Increase for data center move and for parts IGT NOC Migration	\$0.00	\$403,961.00	\$403,961.00	#Div/0!
				1400	Staff Augmentations Professionals	McInnis Consulting Jira Expert	\$10,000.00	\$10,000.00	\$0.00	0.00%
		U06	Information Technology (IT) Cabling	1400	IT Cabling	Raynham Build out	\$0.00	\$0.00	\$0.00	#Num!
				1400	IT Cabling	Suffolk Build out @new \$26,050.08 in one time costs@ Suffolk Build out	\$0.00	\$0.00	\$0.00	#Num!
				1400	IT Cabling	Runs/Cabling	\$3,000.00	\$3,000.00	\$0.00	0.00%
		U07	Information Technology (IT) Equipment	1400	Cloud Migration	Prior Year Adjustment	\$0.00	\$0.00	\$0.00	#Num!
				1400	IT Equipment	IT Equipment, emergency replacements (switches, routers, firewalls) etc	\$145,000.00	\$103,675.00	(\$41,325.00)	-28.50%
				1800	Database	Customer Relationship management tool	\$0.00	\$0.00	\$0.00	#Num!
				1900	IT Software	Grant Software	\$0.00	\$0.00	\$0.00	#Num!

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10500001	Mass. Gaming Commission										
	MGC Regulatory Costs										
		U09	Information Technology (IT) Equip Rental Or Lease	1400	INFORMATION TECHNOLOGY (IT) EQUIP RENTAL OR LEASE	ACS Leases (Refresh)	\$125,695.00	\$89,871.92	(\$35,823.08)	-28.50%	
		U10	Information Tech (IT) Equipment Maintenance & Repair	1000	Cable	Cable/Comcast	\$5,500.00	\$5,500.00	\$0.00	0.00%	
				1400	IT Maintenance and Repair	Annual M&S Equipment/Services	\$131,802.76	\$94,238.97	(\$37,563.79)	-28.50%	
		U11	Information Technology (IT) Contract Services	1400	IT Contract Services	LMS, Gartner, Tallan Services	\$471,017.00	\$193,777.15	(\$277,239.85)	-58.86%	
		<b>Obj Class Totals:</b>						<b>\$4,222,914.03</b>	<b>\$4,213,112.43</b>	<b>(\$9,801.60)</b>	<b>-0.23%</b>
	<b>MGC Regulatory Costs</b>	<b>Totals:</b>						<b>\$29,608,017.04</b>	<b>\$30,842,723.05</b>	<b>\$1,234,706.01</b>	<b>4.17%</b>
	Indirect										
		EE	ADMINISTRATIVE EXPENSES								
		E16	Indirect Cost Recoupment	2000	Indirect	Indirect adjustments from 2nd quarter revisions	\$0.00	\$0.00	\$0.00	#Num!	
				2000	Indirect	Indirect Expense on Turnover Savings	\$0.00	\$0.00	\$0.00	#Num!	
				2000	Indirect	NA	\$0.00	\$0.00	\$0.00	#Num!	
				2000	Indirect	Prior Year Adjustment	\$0.00	\$0.00	\$0.00	#Num!	
				2000	Indirect Agency Wide	Indirect at 10% of AA, CC, HH, JJ and UU excluding U07	\$2,419,852.48	\$2,549,564.19	\$129,711.71	5.36%	
		<b>Obj Class Totals:</b>						<b>\$2,419,852.48</b>	<b>\$2,549,564.19</b>	<b>\$129,711.71</b>	<b>5.36%</b>
	<b>Indirect</b>	<b>Totals:</b>						<b>\$2,419,852.48</b>	<b>\$2,549,564.19</b>	<b>\$129,711.71</b>	<b>5.36%</b>
	Office of Attorney General and AGO MSP										
		JJ	OPERATIONAL SERVICES								
		J25	Laboratory & Pharmaceutical Services	9000	State Police	MSPAGO State Police OT	\$360,500.00	\$360,500.00	\$0.00	0.00%	
				9000	State Police	MSPAGO Straight Time Troopers and Payroll Taxes 3FTEs for FY23	\$578,613.12	\$636,238.55	\$57,625.43	9.96%	
		<b>Obj Class Totals:</b>						<b>\$939,113.12</b>	<b>\$996,738.55</b>	<b>\$57,625.43</b>	<b>6.14%</b>
		OO									
		O09		9000	Attorney General	Funds FTEs assigned to the unit, various percentages of FTEs of support, and management positions, office space, travel, conferences, and investigative costs.	\$2,927,384.00	\$2,927,384.00	\$0.00	0.00%	
				9000	Indirect	Prior Year Adjustment	\$0.00	\$0.00	\$0.00	#Num!	
		<b>Obj Class Totals:</b>						<b>\$2,927,384.00</b>	<b>\$2,927,384.00</b>	<b>\$0.00</b>	<b>0.00%</b>
	<b>Office of Attorney General and AGO MSP</b>	<b>Totals:</b>						<b>\$3,866,497.12</b>	<b>\$3,924,122.55</b>	<b>\$57,625.43</b>	<b>1.49%</b>
	Alcohol and Beverage Control Commission										

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	Alcohol and Beverage Control Commission									
		00								
		001		9001	ISA with ABCC	ABCC	\$75,000.00	\$75,000.00	\$0.00	0.00%
		<b>Obj Class Totals:</b>					<b>\$75,000.00</b>	<b>\$75,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
	Alcohol and Beverage Control Commission	<b>Totals:</b>					<b>\$75,000.00</b>	<b>\$75,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
<b>Appropriation Totals</b>							<b>\$35,969,366.64</b>	<b>\$37,391,409.79</b>	<b>\$1,422,043.15</b>	<b>3.95%</b>

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
	MGC Regulatory Costs									
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	1000	Employee Compensation	Admin Employees Salaries	\$209,120.02	\$102,489.31	(\$106,630.71)	-50.99%	
			1100	Employee Compensation	HR Employees Salaries	\$105,766.53	\$27,166.97	(\$78,599.56)	-74.31%	
			1100	Raises	5% COLA/Incentives/Equity Agency Wide	\$0.00	\$37,277.01	\$37,277.01	#Div/0!	
			1200	Employee Compensation	Legal Employees Salaries	\$35,661.64	\$58,533.91	\$22,872.27	64.14%	
			1300	Employee Compensation	Exec. Dir. Employees Salaries	\$28,169.45	\$31,301.72	\$3,132.27	11.12%	
			1400	Employee Compensation	IT Employees Salaries	\$197,045.62	\$99,434.49	(\$97,611.13)	-49.54%	
			1500	Employee Compensation	Commissioners Employees Salaries	\$64,831.02	\$59,539.70	(\$5,291.32)	-8.16%	
			1800	Employee Compensation	Communications Employees Salaries	\$17,838.02	\$14,390.54	(\$3,447.48)	-19.33%	
			3000	Employee Compensation	Regular Employee Salaries	\$293,314.51	\$322,652.95	\$29,338.44	10.00%	
			5000	Employee Compensation	Admin Employees Salaries	\$0.00	\$51,946.51	\$51,946.51	#Div/0!	
			7000	Employee Compensation	Regular Employee Salaries	\$3,416.49	\$4,719.52	\$1,303.03	38.14%	
		<b>Obj Class Totals:</b>					<b>\$955,163.30</b>	<b>\$809,452.63</b>	<b>(\$145,710.67)</b>	<b>-15.26%</b>
	BB	REGULAR EMPLOYEE RELATED EXPEN								
	B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	3000	Travel	Out of State Travel Reimbursement	\$10,000.00	\$10,000.00	\$0.00	0.00%	
	B02	In-State Travel	3000	Travel	In State Travel Reimbursement	\$3,000.00	\$3,000.00	\$0.00	0.00%	
		<b>Obj Class Totals:</b>					<b>\$13,000.00</b>	<b>\$13,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
	CC	SPECIAL EMPLOYEES								
	C04	Contracted Seasonal Employees	3000	Seasonals	4% Increase Seasonal salaries for Plainridge at 35 weeks	\$468,000.00	\$482,040.00	\$14,040.00	3.00%	
	C23	Management, Business Professionals & Admin Services	1100	Contract Employee	Administrative Help	\$0.00	\$5,200.00	\$5,200.00	#Div/0!	
		<b>Obj Class Totals:</b>					<b>\$468,000.00</b>	<b>\$487,240.00</b>	<b>\$19,240.00</b>	<b>4.11%</b>
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	1000	Fringe	Fringe rate of 43.36%	\$83,648.25	\$44,541.85	(\$39,106.40)	-46.75%	
			1000	Taxes	Tax rate of 2.45%	\$4,027.90	\$2,510.99	(\$1,516.91)	-37.66%	
			1100	Fringe	Fringe rate of 43.36%	\$42,306.61	\$11,806.77	(\$30,499.84)	-72.09%	
			1100	Taxes	Tax rate of 2.45%	\$1,998.99	\$665.59	(\$1,333.40)	-66.70%	
			1200	Fringe	Fringe rate of 43.36%	\$14,264.66	\$23,304.82	\$9,040.16	63.37%	
			1200	Taxes	Tax rate of 2.45%	\$674.00	\$1,314.64	\$640.64	95.05%	

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
	MGC Regulatory Costs									
	D09		Fringe Benefit Cost Recoupment	1300	Fringe	Fringe rate of 43.36%	\$11,267.78	\$13,603.73	\$2,335.95	20.73%
				1300	Taxes	Tax rate of 2.45%	\$532.40	\$766.89	\$234.49	44.04%
				1400	Fringe	Fringe rate of 43.36%	\$78,818.25	\$43,207.81	(\$35,610.44)	-45.18%
				1400	Taxes	Tax rate of 2.45%	\$3,724.16	\$2,436.15	(\$1,288.01)	-34.59%
				1500	Fringe	Fringe rate of 43.36%	\$25,932.41	\$25,875.95	(\$56.46)	-0.22%
				1500	Taxes	Tax rate of 2.45%	\$1,225.31	\$1,458.72	\$233.41	19.05%
				1800	Fringe	Fringe rate of 43.36%	\$7,135.21	\$6,254.13	(\$881.08)	-12.35%
				1800	Taxes	Tax rate of 2.45%	\$337.14	\$352.57	\$15.43	4.58%
				3000	Fringe	Fringe rate of 43.36%	\$117,325.80	\$140,224.97	\$22,899.17	19.52%
				3000	Taxes	Tax rate of 2.45%	\$14,388.84	\$7,905.00	(\$6,483.84)	-45.06%
				5000	Fringe	Fringe rate of 43.36%	\$0.00	\$22,575.95	\$22,575.95	#Div/0!
				5000	Taxes	Tax rate of 2.45%	\$0.00	\$1,272.69	\$1,272.69	#Div/0!
				7000	Fringe	Fringe rate of 43.36%	\$1,366.60	\$2,051.10	\$684.50	50.09%
				7000	Taxes	Tax rate of 2.45%	\$64.57	\$115.63	\$51.06	79.07%
			<b>Obj Class Totals:</b>				<b>\$409,038.88</b>	<b>\$352,245.95</b>	<b>(\$56,792.93)</b>	<b>-13.88%</b>
	EE		ADMINISTRATIVE EXPENSES							
	E01		Office & Administrative Supplies	3000	Supplies	W.B. Mason	\$7,500.00	\$7,500.00	\$0.00	0.00%
	E02		Printing Expenses & Supplies	3000	Printing	Millineum Printing	\$500.00	\$500.00	\$0.00	0.00%
	E12		Subscriptions, Memberships & Licensing Fees	3000	Memberships	AA Dority/Organization of Racing Investigators	\$5,625.00	\$5,625.00	\$0.00	0.00%
				3000	Memberships	Assoc. of Racing Regulators	\$18,700.00	\$18,700.00	\$0.00	0.00%
	E13		Advertising Expenses	3000	Public Hearing Notices	Boston Globe	\$1,000.00	\$1,000.00	\$0.00	0.00%
				3000	Public Hearing Notices	Boston Herald	\$700.00	\$700.00	\$0.00	0.00%
	E15		Bottled Water	3000	Water	Belmont Springs/DS Waters of America	\$360.00	\$360.00	\$0.00	0.00%
	E41		Out Of State Travel Expen on Behalf of State Employ	3000	Travel Agent	Travel	\$5,000.00	\$5,000.00	\$0.00	0.00%
	EE2		Conference, Training and Registration Fees	3000	Conferences	Assoc. of Racing Comm./Louisiana Racing/Thoroughbred Racing	\$3,000.00	\$3,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$42,385.00</b>	<b>\$42,385.00</b>	<b>\$0.00</b>	<b>0.00%</b>
	FF		FACILITY OPERATIONAL EXPENSES							
	F05		Laboratory Supplies	3000	Vet Supplies	Gloves, scrubs etc.	\$2,000.00	\$2,000.00	\$0.00	0.00%
	F09		Clothing & Footwear	3000	Equipment	Misc Facility Equipment	\$25,000.00	\$25,000.00	\$0.00	0.00%
				3000	Uniforms	Racing Uniforms for Seasonal Employees	\$15,000.00	\$15,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$42,000.00</b>	<b>\$42,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
	HH		CONSULTANT SVCS (TO DEPTS)							
	H19		Management Consultants	3000	Hearing Officer	Hearing Officer for Racing Appeals	\$25,000.00	\$25,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$25,000.00</b>	<b>\$25,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>



Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10500003	MGC Mass Racing Development and Oversight										
	MGC Regulatory Costs										
		JJ	OPERATIONAL SERVICES								
		J10	Auxiliary Financial Services	3000	Credit Cards	Bank of America credit card terminal fees	\$1,000.00	\$1,000.00	\$0.00	0.00%	
		J25	Laboratory & Pharmaceutical Services	3000	Testing	Health Resources Corp.	\$2,000.00	\$2,000.00	\$0.00	0.00%	
		J28	Law Enforcement	3000	State Police	MSP Racing Straight Time	\$378,622.26	\$388,377.37	\$9,755.11	2.58%	
		JJ1	Legal Support Services	3000	Stenographer	Hardeman RealTime	\$5,000.00	\$5,000.00	\$0.00	0.00%	
		JJ2	Auxiliary Services	3000	Autopsies	Uconn Pathology	\$4,000.00	\$6,000.00	\$2,000.00	50.00%	
				3000	Testing Lab	Back Up Lab TBD	\$0.00	\$0.00	\$0.00	#Num!	
				3000	Testing Lab	Industrial Laboratories or alternate lab	\$382,500.00	\$382,500.00	\$0.00	0.00%	
		<b>Obj Class Totals:</b>						<b>\$773,122.26</b>	<b>\$784,877.37</b>	<b>\$11,755.11</b>	<b>1.52%</b>
		LL	EQUIPMENT LEASE-MAINTAIN/REPAR								
		L46	Print, Photocopying & Micrograph Equipment Maint/Repair	3000	Maintenance Contract	K & A Industries--Badge Printer	\$915.00	\$915.00	\$0.00	0.00%	
		<b>Obj Class Totals:</b>						<b>\$915.00</b>	<b>\$915.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		MM	PURCHASED CLIENT/PROGRAM SVCS								
		M03	Purchased Human & Social Services For Clients/Non Medical	3000	Hardship Payments	Economic Hardship Payments--Statutorily Required	\$20,000.00	\$20,000.00	\$0.00	0.00%	
				3000	Legislative Mandate	Jockey's Guild--Statutory Requirement	\$65,000.00	\$65,000.00	\$0.00	0.00%	
		M04	Services Purch Support of Human/Social Services for Clients	3000	ISA	ISA with DPH Compulsive Gambling--Statutory Requirement	\$70,000.00	\$70,000.00	\$0.00	0.00%	
				3000	Purchased Client/Program Svcs	Services Purch Support of Human/Social Services for Clients	\$0.00	\$0.00	\$0.00	#Num!	
		<b>Obj Class Totals:</b>						<b>\$155,000.00</b>	<b>\$155,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		UU	IT Non-Payroll Expenses								
		U02	Telecommunications Services - Voice	3000	Phones	Verizon/AT&T	\$5,000.00	\$5,000.00	\$0.00	0.00%	
		U05	Information Technology (IT) Temp Staff Augmentation Profs	3000	Database	Racing Licensing System	\$10,000.00	\$5,000.00	(\$5,000.00)	-50.00%	
		U10	Information Tech (IT) Equipment Maintenance & Repair	3000	Security & Surveillance	Test Barn	\$0.00	\$0.00	\$0.00	#Num!	
		<b>Obj Class Totals:</b>						<b>\$15,000.00</b>	<b>\$10,000.00</b>	<b>(\$5,000.00)</b>	<b>-33.33%</b>
		<b>MGC Regulatory Costs Totals:</b>						<b>\$2,898,624.44</b>	<b>\$2,722,115.95</b>	<b>(\$176,508.49)</b>	<b>-6.09%</b>
		<b>Indirect</b>									
		EE	ADMINISTRATIVE EXPENSES								
		E16	Indirect Cost Recoupment	2000	Indirect Agency Wide	Indirect at 10% of AA, CC, HH, JJ and UU excluding U07	\$209,178.18	\$204,504.23	(\$4,673.95)	-2.23%	
		<b>Obj Class Totals:</b>						<b>\$209,178.18</b>	<b>\$204,504.23</b>	<b>(\$4,673.95)</b>	<b>-2.23%</b>
		<b>Indirect Totals:</b>						<b>\$209,178.18</b>	<b>\$204,504.23</b>	<b>(\$4,673.95)</b>	<b>-2.23%</b>

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
<b>Appropriation Totals</b>							\$3,107,802.62	\$2,926,620.18	(\$181,182.44)	-5.83%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500004	Community Mitigation									
	MGC Regulatory Costs									
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive	1100	Raises	5% COLA/Incentives/Equity Agency Wide	\$0.00	\$10,188.69	\$10,188.69	#Div/0!
				1900	Employee Compensation	Regular Employee Salaries	\$170,463.12	\$203,773.74	\$33,310.62	19.54%
			<b>Obj Class Totals:</b>				<b>\$170,463.12</b>	<b>\$213,962.43</b>	<b>\$43,499.31</b>	<b>25.52%</b>
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	1900	Travel	In-State Travel	\$5,000.00	\$5,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$5,000.00</b>	<b>\$5,000.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment	1900	Fringe	Fringe rate of 43.36%	\$68,185.25	\$88,560.07	\$20,374.82	29.88%
				1900	Taxes	Tax rate of 2.45%	\$3,221.75	\$4,992.46	\$1,770.71	54.96%
			<b>Obj Class Totals:</b>				<b>\$71,407.00</b>	<b>\$93,552.52</b>	<b>\$22,145.52</b>	<b>31.01%</b>
		EE	ADMINISTRATIVE EXPENSES							
		E01	Office & Administrative Supplies	1900	Supplies	Supplies Binders	\$5,000.00	\$2,500.00	(\$2,500.00)	-50.00%
		E12	Subscriptions, Memberships & Licensing Fees	1900	Subscription	Instatrac Subscription	\$0.00	\$0.00	\$0.00	#Num!
		E16	Indirect Cost Recoupment	1900	Indirect	Indirect Rate of 10%	\$15,687.22	\$20,377.37	\$4,690.15	29.90%
			<b>Obj Class Totals:</b>				<b>\$20,687.22</b>	<b>\$22,877.37</b>	<b>\$2,190.15</b>	<b>10.59%</b>
		GG	ENERGY COSTS AND SPACE RENTAL							
		G01	Space Rental	1900	Rent	UMASS Facility	\$2,500.00	\$0.00	(\$2,500.00)	-100.00%
			<b>Obj Class Totals:</b>				<b>\$2,500.00</b>	<b>\$0.00</b>	<b>(\$2,500.00)</b>	<b>-100.00%</b>
		UU	IT Non-Payroll Expenses							
		U07	Information Technology (IT) Equipment	1900	Database	Services Maintenance/Upgrades to Database	\$40,000.00	\$50,000.00	\$10,000.00	25.00%
				1900	IT Software	Grant Software amendment for additional enhancements	\$40,000.00	\$0.00	(\$40,000.00)	-100.00%
			<b>Obj Class Totals:</b>				<b>\$80,000.00</b>	<b>\$50,000.00</b>	<b>(\$30,000.00)</b>	<b>-37.50%</b>
	MGC Regulatory Costs		<b>Totals:</b>				<b>\$350,057.34</b>	<b>\$385,392.32</b>	<b>\$35,334.98</b>	<b>10.09%</b>
	<b>Appropriation Totals</b>						<b>\$350,057.34</b>	<b>\$385,392.32</b>	<b>\$35,334.98</b>	<b>10.09%</b>

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10501384	Sports Wagering Control Fund									
	MGC Regulatory Costs									
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive		1000	Employee Compensation	Admin Employees Salaries	\$53,294.18	\$258,721.78	\$205,427.60	385.46%
				1100	Employee Compensation	HR Employees Salaries	\$0.00	\$159,116.73	\$159,116.73	#Div/0!
				1100	Raises	5% COLA/Incentives/Equity Agency Wide	\$0.00	\$151,408.94	\$151,408.94	#Div/0!
				1200	Employee Compensation	Legal Employees Salaries	\$0.00	\$256,648.70	\$256,648.70	#Div/0!
				1300	Employee Compensation	Exec. Dir. Employees Salaries	\$0.00	\$137,246.01	\$137,246.01	#Div/0!
				1400	Employee Compensation	IT Employees Salaries	\$123,698.93	\$663,359.59	\$539,660.66	436.27%
				1500	Employee Compensation	Commissioners Employees Salaries	\$0.00	\$261,058.70	\$261,058.70	#Div/0!
				1800	Employee Compensation	Communications Employees Salaries	\$0.00	\$63,096.99	\$63,096.99	#Div/0!
				5000	Employee Compensation	Admin Employees Salaries	\$286,929.20	\$769,907.29	\$482,978.09	168.33%
				5500	Employee Compensation	Regular Employee Salaries	\$212,610.54	\$631,101.39	\$418,490.85	196.83%
				7000	Employee Compensation	Regular Employee Salaries	\$118,437.93	\$184,707.70	\$66,269.77	55.95%
		<b>Obj Class Totals:</b>					<b>\$794,970.78</b>	<b>\$3,536,373.82</b>	<b>\$2,741,403.04</b>	<b>344.84%</b>
	BB	REGULAR EMPLOYEE RELATED EXPEN								
	B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI		5500	Out of State Travel	Out of State Licensee Visits and Conferences	\$0.00	\$4,000.00	\$4,000.00	#Div/0!
	B02	In-State Travel		5500	In-State Travel	Licensee visits, in-state meetings and conferences Mileage Reimbursements	\$0.00	\$3,000.00	\$3,000.00	#Div/0!
		<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$7,000.00</b>	<b>\$7,000.00</b>	<b>#Div/0!</b>
	CC	SPECIAL EMPLOYEES								
	C23	Management, Business Professionals & Admin Services		1100	Contract Employee	Administrative Help	\$0.00	\$22,800.00	\$22,800.00	#Div/0!
				5000	Contract Employee	Civilian Investigators	\$393,600.00	\$124,800.00	(\$268,800.00)	-68.29%
		<b>Obj Class Totals:</b>					<b>\$393,600.00</b>	<b>\$147,600.00</b>	<b>(\$246,000.00)</b>	<b>-62.50%</b>
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment		1000	Fringe	Fringe rate of 43.36%	\$21,051.20	\$112,440.49	\$91,389.29	434.13%
				1000	Taxes	Tax rate of 2.45%	\$985.94	\$6,338.68	\$5,352.74	542.91%
				1100	Fringe	Fringe rate of 43.36%	\$0.00	\$69,152.13	\$69,152.13	#Div/0!
				1100	Taxes	Tax rate of 2.45%	\$0.00	\$3,898.36	\$3,898.36	#Div/0!
				1200	Fringe	Fringe rate of 43.36%	\$0.00	\$102,182.68	\$102,182.68	#Div/0!
				1200	Taxes	Tax rate of 2.45%	\$0.00	\$5,764.21	\$5,764.21	#Div/0!

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10501384	Sports Wagering Control Fund									
	MGC Regulatory Costs									
	D09	Fringe Benefit Cost Recoupment	1300	Fringe	Fringe rate of 43.36%	\$0.00	\$59,647.12	\$59,647.12	#Div/0!	
			1300	Taxes	Tax rate of 2.45%	\$0.00	\$3,362.53	\$3,362.53	#Div/0!	
			1400	Fringe	Fringe rate of 43.36%	\$48,861.08	\$288,267.92	\$239,406.84	489.97%	
			1400	Taxes	Tax rate of 2.45%	\$2,288.43	\$16,252.31	\$13,963.88	610.19%	
			1500	Fringe	Fringe rate of 43.36%	\$0.00	\$113,456.11	\$113,456.11	#Div/0!	
			1500	Taxes	Tax rate of 2.45%	\$0.00	\$6,395.94	\$6,395.94	#Div/0!	
			1800	Fringe	Fringe rate of 43.36%	\$0.00	\$27,421.95	\$27,421.95	#Div/0!	
			1800	Taxes	Tax rate of 2.45%	\$0.00	\$1,545.88	\$1,545.88	#Div/0!	
			5000	Fringe	Fringe rate of 43.36%	\$113,337.03	\$47,499.76	(\$65,837.27)	-58.09%	
			5000	Taxes	Tax rate of 2.45%	\$5,308.19	\$305,894.71	\$300,586.52	5662.69%	
			5000	Taxes	Tax rate of 2.45% on Civilian Investigators	\$7,281.60	\$3,057.60	(\$4,224.00)	-58.01%	
			5500	Fringe	Fringe rate of 43.36%	\$83,981.16	\$274,106.66	\$190,125.50	226.39%	
			5500	Taxes	Tax rate of 2.45%	\$3,933.29	\$15,461.99	\$11,528.70	293.11%	
			7000	Fringe	Fringe rate of 43.36%	\$46,782.98	\$4,525.34	(\$42,257.64)	-90.33%	
			7000	Taxes	Tax rate of 2.45%	\$2,191.10	\$80,273.97	\$78,082.87	3563.64%	
	<b>Obj Class Totals:</b>						<b>\$336,002.00</b>	<b>\$1,546,946.32</b>	<b>\$1,210,944.32</b>	<b>360.40%</b>
	EE	<i>ADMINISTRATIVE EXPENSES</i>								
	E02	Printing Expenses & Supplies	5500	Printing & Administrative Supplies	SW Reports and Ad Hoc Reports	\$0.00	\$1,500.00	\$1,500.00	#Div/0!	
	E12	Subscriptions, Memberships & Licensing Fees	5500	Subscriptions, Memberships & Licensing Fees	SBRA membership, trade journals other subscriptions	\$0.00	\$7,500.00	\$7,500.00	#Div/0!	
	E30	Credit Card Purchases	5500	Credit Card Purchases	Credit Card Purchases	\$0.00	\$5,000.00	\$5,000.00	#Div/0!	
	E41	Out Of State Travel Expen on Behalf of State Employ	5500	Travel Agent	Travel Agency Fees	\$0.00	\$8,000.00	\$8,000.00	#Div/0!	
	EE2	Conference, Training and Registration Fees	5500	Conference, Training and Registration Fees	UNLV; G2E; NAGRA or SBRA meeting, SBC	\$0.00	\$12,500.00	\$12,500.00	#Div/0!	
	<b>Obj Class Totals:</b>						<b>\$0.00</b>	<b>\$34,500.00</b>	<b>\$34,500.00</b>	<b>#Div/0!</b>
	GG	<i>ENERGY COSTS AND SPACE RENTAL</i>								
	G01	Space Rental	1000	Office Lease	101 Federal St. 12 months	\$0.00	\$378,375.22	\$378,375.22	#Div/0!	
			1500	75-101 Parking Garage	Parking 75-101--5 spaces. Two of the spaces are included in the lease. This item pays for 3 of the spaces.	\$0.00	\$5,437.80	\$5,437.80	#Div/0!	
	G03	Electricity	1000	Electricity	101 Federal St. 12 months	\$0.00	\$9,301.10	\$9,301.10	#Div/0!	
	<b>Obj Class Totals:</b>						<b>\$0.00</b>	<b>\$393,114.12</b>	<b>\$393,114.12</b>	<b>#Div/0!</b>
	HH	<i>CONSULTANT SVCS (TO DEPTS)</i>								
	H09	Attorneys/Legal Services	1200	Outside Counsel	Outside Counsel - A&K	\$850,000.00	\$200,000.00	(\$650,000.00)	-76.47%	

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10501384	Sports Wagering Control Fund									
	MGC Regulatory Costs									
		HH1	Financial Services	1500	Consultants	Application Consulting Review (indexing of applications)	\$230,000.00	\$0.00	(\$230,000.00)	-100.00%
				5000	Consultants	Consultants -RSM	\$1,000,000.00	\$750,000.00	(\$250,000.00)	-25.00%
		<b>Obj Class Totals:</b>					<b>\$2,080,000.00</b>	<b>\$950,000.00</b>	<b>(\$1,130,000.00)</b>	<b>-54.33%</b>
		JJ	OPERATIONAL SERVICES							
		J25	Laboratory & Pharmaceutical Services	5000	State Police	MSP GEU at Raynham Park	\$0.00	\$541,519.27	\$541,519.27	#Div/0!
		<b>Obj Class Totals:</b>					<b>\$0.00</b>	<b>\$541,519.27</b>	<b>\$541,519.27</b>	<b>#Div/0!</b>
		UU	IT Non-Payroll Expenses							
		U02	Telecommunications Services - Voice	1400	TELECOMMUNICAT IONS SERVICES - VOICE	OfficeSuite (Voice, HD Meeting, WeConnect), Verizon Wireless, Multi-location fax lines	\$0.00	\$32,122.38	\$32,122.38	#Div/0!
		U03	Software & Information Technology Licenses (IT)	1000	Software	Software - LinkSquares CLM	\$0.00	\$14,250.00	\$14,250.00	#Div/0!
				1100	Software	Software - BambooHR	\$0.00	\$4,275.00	\$4,275.00	#Div/0!
				1200	Software	Relativity Document Search and PIR Tool	\$0.00	\$155,000.00	\$155,000.00	#Div/0!
				1400	SOFTWARE & INFORMATION TECHNOLOGY LICENSES (IT)	Increase \$86,671.56 for Azure Sentinel, M365 G5 Compliance, M365 G5 Security Adobe, Sharepoint, O365, Azure, JIRA, MDM etc	\$0.00	\$154,464.88	\$154,464.88	#Div/0!
				5500	software	Incident Tracker	\$0.00	\$3,800.00	\$3,800.00	#Div/0!
		U05	Information Technology (IT) Temp Staff Augmentation Profs	5500	IT Consultant	IT Consultant - GLI	\$520,000.00	\$60,000.00	(\$460,000.00)	-88.46%
		U06	Information Technology (IT) Cabling	1400	IT Cabling	Raynham Build out	\$0.00	\$54,531.48	\$54,531.48	#Div/0!
				1400	IT Cabling	Suffolk Build out @new \$26,050.08 in one time costs@ Suffolk Build out	\$0.00	\$54,531.48	\$54,531.48	#Div/0!
		U07	Information Technology (IT) Equipment	1400	IT Equipment	IT Equipment, emergency replacements (switches, routers, firewalls) etc	\$0.00	\$41,325.00	\$41,325.00	#Div/0!
		U09	Information Technology (IT) Equip Rental Or Lease	1400	INFORMATION TECHNOLOGY (IT) EQUIP RENTAL OR LEASE	ACS Leases (Refresh)	\$0.00	\$35,823.08	\$35,823.08	#Div/0!
		U10	Information Tech (IT) Equipment Maintenance & Repair	1400	IT Maintenance and Repair	Annual M&S Equipment/Services	\$0.00	\$37,563.79	\$37,563.79	#Div/0!
		U11	Information Technology (IT) Contract Services	1400	IT Contract Services	LMS, Gartner, Tallan Services	\$0.00	\$77,239.85	\$77,239.85	#Div/0!
		<b>Obj Class Totals:</b>					<b>\$520,000.00</b>	<b>\$724,926.93</b>	<b>\$204,926.93</b>	<b>39.41%</b>
		<b>MGC Regulatory Costs Totals:</b>					<b>\$4,124,572.78</b>	<b>\$7,881,980.46</b>	<b>\$3,757,407.68</b>	<b>91.10%</b>
		<b>Indirect</b>								
		EE	ADMINISTRATIVE EXPENSES							

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10501384	Sports Wagering Control Fund									
	Indirect									
		E16	Indirect Cost Recoupment	2000	Indirect	Commonwealth Required Indirect Cost Recoupment	\$401,067.08	\$440,545.25	\$39,478.17	9.84%
			<b>Obj Class Totals:</b>				<b>\$401,067.08</b>	<b>\$440,545.25</b>	<b>\$39,478.17</b>	<b>9.84%</b>
	Indirect		<b>Totals:</b>				<b>\$401,067.08</b>	<b>\$440,545.25</b>	<b>\$39,478.17</b>	<b>9.84%</b>
			<b>Research and Responsible Gaming/PHTF</b>							
		HH	CONSULTANT SVCS (TO DEPTS)							
		HH1	Financial Services	1700	Consultants	Statutorily Required Kiosk Study	\$150,000.00	\$0.00	(\$150,000.00)	-100.00%
			<b>Obj Class Totals:</b>				<b>\$150,000.00</b>	<b>\$0.00</b>	<b>(\$150,000.00)</b>	<b>-100.00%</b>
		UU	IT Non-Payroll Expenses							
		U03	Software & Information Technology Licenses (IT)	1700	software	100 VSE database licenses	\$72,100.00	\$12,100.00	(\$60,000.00)	-83.22%
			<b>Obj Class Totals:</b>				<b>\$72,100.00</b>	<b>\$12,100.00</b>	<b>(\$60,000.00)</b>	<b>-83.22%</b>
	Research and Responsible Gaming/PHTF		<b>Totals:</b>				<b>\$222,100.00</b>	<b>\$12,100.00</b>	<b>(\$210,000.00)</b>	<b>-94.55%</b>
	<b>Appropriation Totals</b>						<b>\$4,747,739.86</b>	<b>\$8,334,625.71</b>	<b>\$3,586,885.85</b>	<b>75.55%</b>

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
40001101										
			MGC Regulatory Costs							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive	1100	Raises	5% COLA/Incentives/Equity Agency Wide	\$0.00	\$15,951.45	\$15,951.45	#Div/0!
			<b>Obj Class Totals:</b>				<b>\$0.00</b>	<b>\$15,951.45</b>	<b>\$15,951.45</b>	<b>#Div/0!</b>
			<b>MGC Regulatory Costs</b>			<b>Totals:</b>	<b>\$0.00</b>	<b>\$15,951.45</b>	<b>\$15,951.45</b>	<b>#Div/0!</b>
			Research and Responsible Gaming/PHTF							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive	1700	Employee Compensation	Employee Salaries Possible Intern	\$313,023.39	\$319,029.04	\$6,005.65	1.92%
			<b>Obj Class Totals:</b>				<b>\$313,023.39</b>	<b>\$319,029.04</b>	<b>\$6,005.65</b>	<b>1.92%</b>
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	1700	Travel	Out of State Travel	\$1,250.00	\$1,250.00	\$0.00	0.00%
		B02	In-State Travel	1700	Travel	In-State-Travel Reimbursements	\$6,000.00	\$6,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$7,250.00</b>	<b>\$7,250.00</b>	<b>\$0.00</b>	<b>0.00%</b>
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment	1700	Fringe	Fringe rate of 43.36%	\$125,209.36	\$138,650.02	\$13,440.66	10.73%
				1700	Taxes	Tax rate of 2.45%	\$5,916.14	\$7,816.21	\$1,900.07	32.12%
			<b>Obj Class Totals:</b>				<b>\$131,125.50</b>	<b>\$146,466.23</b>	<b>\$15,340.73</b>	<b>11.70%</b>
		EE	ADMINISTRATIVE EXPENSES							
		E02	Printing Expenses & Supplies	1700	Printing Expenses and Supplies	Printed Materials for Game Sense	\$0.00	\$6,000.00	\$6,000.00	#Div/0!
		E12	Subscriptions, Memberships & Licensing Fees	1700	Memberships	Memberships - NAADGS, NCPG	\$0.00	\$6,000.00	\$6,000.00	#Div/0!
		E16	Indirect Cost Recoupment	1700	Indirect Charges	Indirect to EHHS	\$342,602.34	\$398,902.90	\$56,300.56	16.43%
		EE2	Conference, Training and Registration Fees	1700	Conferences	Conference, Training & Registration Fees	\$10,000.00	\$10,000.00	\$0.00	0.00%
			<b>Obj Class Totals:</b>				<b>\$352,602.34</b>	<b>\$420,902.90</b>	<b>\$68,300.56</b>	<b>19.37%</b>
		FF	FACILITY OPERATIONAL EXPENSES							
		F16	Library & Teaching Supplies & Materials	1700	Books	Library/reference books Increase as needed for research	\$0.00	\$1,000.00	\$1,000.00	#Div/0!
			<b>Obj Class Totals:</b>				<b>\$0.00</b>	<b>\$1,000.00</b>	<b>\$1,000.00</b>	<b>#Div/0!</b>
		HH	CONSULTANT SVCS (TO DEPTS)							
		H09	Attorneys/Legal Services	1700	Public Safety Research	Public Safety and Human Trafficking Research	\$38,000.00	\$115,000.00	\$77,000.00	202.63%
		H23	Program Coordinators	1700	Branding	GameSense media buys etc. ASG	\$150,000.00	\$150,000.00	\$0.00	0.00%
				1700	GRAC/RDASC/Research Consultants	Bruce Cohen--Joel Weissman/Jeff Moratta/Anthony Roman Other Consultants on Stipends Peer Review process for research agenda	\$0.00	\$0.00	\$0.00	#Num!



Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
40001101										
Research and Responsible Gaming/PHTF										
		H23	Program Coordinators	1700	Mass Council	Mass Council on Gaming & Health including employees to man Game Sense booth at PPC EBH and MGM --Staffed 16 hrs per day PPC and MGM, and 24 Hrs/day EBH --VSE --Play My Way --Required by Statute Chapter 194, Section 9	\$2,741,000.00	\$3,148,000.00	\$407,000.00	14.85%
				1700	Program manager	RG Evaluation including GameSense	\$75,000.00	\$125,000.00	\$50,000.00	66.67%
				1700	Program manager	TBD	\$0.00	\$0.00	\$0.00	#Num!
				1700	Research Consultant	Research Review Committee	\$0.00	\$30,000.00	\$30,000.00	#Div/0!
				1700	Research Consultant/ Umass	Research Consultant	\$0.00	\$0.00	\$0.00	#Num!
				1700	Research Consultant/ Umass	Veterans Services Technical assistance	\$0.00	\$0.00	\$0.00	#Num!
				1700	Translations	Knowledge Translation and Exchange	\$25,000.00	\$25,000.00	\$0.00	0.00%
				1700	VSE Resource Liaison	VSE Resource Liaison	\$62,000.00	\$62,000.00	\$0.00	0.00%
		<b>Obj Class Totals:</b>					<b>\$3,091,000.00</b>	<b>\$3,655,000.00</b>	<b>\$564,000.00</b>	<b>18.25%</b>
	JJ	OPERATIONAL SERVICES								
	JJ2	Auxiliary Services		1700	Translations	Document Translations Increase due to greater need for translation and diversity	\$10,000.00	\$15,000.00	\$5,000.00	50.00%
		<b>Obj Class Totals:</b>					<b>\$10,000.00</b>	<b>\$15,000.00</b>	<b>\$5,000.00</b>	<b>50.00%</b>
	PP	STATE AID/POL SUB								
	P01	Grants To Public Entities		1700	Community Driven Research	Community Driven Research	\$210,000.00	\$210,000.00	\$0.00	0.00%
				1700	Data Storage Grant	MODE DPH	\$75,000.00	\$75,000.00	\$0.00	0.00%
				1700	SEIGMA	Social & Economic Research(SEIGMA) Follow-up General Population Study	\$1,015,000.00	\$995,000.00	(\$20,000.00)	-1.97%
				1700	Umass	Magic Core/Optional--Cohort Study--Complete	\$0.00	\$0.00	\$0.00	#Num!
	PP1	Grants To Non-Public Entities		1700	PMW	Play My Way Incentives	\$60,000.00	\$40,000.00	(\$20,000.00)	-33.33%
		<b>Obj Class Totals:</b>					<b>\$1,360,000.00</b>	<b>\$1,320,000.00</b>	<b>(\$40,000.00)</b>	<b>-2.94%</b>
	UU	IT Non-Payroll Expenses								
	U07	Information Technology (IT) Equipment		1700	IT Non-Payroll Expenses	Crime Analysis Software	\$2,000.00	\$0.00	(\$2,000.00)	-100.00%
				1700	ITRAK	Development of ITRAK and Migration from Current Process	\$0.00	\$0.00	\$0.00	#Num!
		<b>Obj Class Totals:</b>					<b>\$2,000.00</b>	<b>\$0.00</b>	<b>(\$2,000.00)</b>	<b>-100.00%</b>
	Research and Responsible Gaming/PHTF		<b>Totals:</b>				<b>\$5,267,001.23</b>	<b>\$5,884,648.17</b>	<b>\$617,646.94</b>	<b>11.73%</b>

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
40001101										
<b>Appropriation Totals</b>							\$5,267,001.23	\$5,900,599.62	\$633,598.39	12.03%

205 CMR 243.00: SPORTS WAGERING EQUIPMENT

243.01: Standards for Sports Wagering Equipment

- (1) Sports Wagering Operators and Sports Wagering Vendors shall comply with, and the Commission adopts and incorporates by reference, *Gaming Laboratories International, LLC Standard GLI-33: Event Wagering Systems* and its appendices, version 1.1, released May 14, 2019, subject to the following amendments:
- (a) Delete section 1.1.1 and replace with the following: "The following sets forth the technical standards for Sports Wagering Equipment as identified in 205 CMR 244.01."
  - (b) Delete section 1.1.2.
  - (c) Delete section 1.2.1.
  - (d) Delete section 1.3.3 and replace with the following: "This GLI technical standard is adopted in whole, subject to the modifications described in 205 CMR 243.01. To create a cohesive regulatory framework, the standard and modifications should always be read in conjunction with 205 CMR and the standards referenced in section 1.4.1."
  - (e) Add the following after section 2.1.1 "and the modifications described in 205 CMR 243.01."
  - (f) Delete the second sentence of section 2.5.1 and replace with the following: "In addition to the requirements contained within this section, and 205 CMR, the "Player Account Controls" section of this document shall also be met."
  - (g) Delete section 2.5.6(b) and replace with the following: "A deposit into a player account shall not be made using a credit card and must be made by methods which can produce a sufficient audit trail."
  - (h) Delete from section 2.7.1 the words "Where required by the regulatory body".
  - (i) Add the following at the end of section 2.7.4: "All wagers must be initiated and received or otherwise made by an individual located in the Commonwealth. Consistent with the intent of the federal Unlawful Internet Gambling Enforcement Act of 2006, 31 U.S.C. section 5361 to 5367, inclusive, the intermediate routing of electronic data related to a lawful intrastate wager authorized pursuant to M.G.L. c. 23N shall not determine the location or locations in which the wager is initiated, received, or otherwise made."
  - (j) Replace in section 2.7.4(a):
    - (1) the number "30" with the number "20"; and
    - (2) the words "or as otherwise specified by the regulatory body" with "after a period of 5 minutes since the previous location check if within one mile of the border, and prior to placement of the next wager after detection of a change to the player's IP Address"
  - (k) Add the following as section 2.7.4(e): "The location detection service or application used by the Event Wagering System shall be certified by the approved Independent Testing Laboratory, including applicable field testing, before its deployment."
  - (l) Delete section 2.8.2(o) and replace with the following: "(o) The personally identifiable information of a player who places a wager that exceeds \$10,000 or wins a wager exceeding \$600 and worth at least 300 times the amount wagered including, the legal name, residential address, date of birth, and encrypted government identification number (full or partial social security number, taxpayer identification number, passport number, or equivalent)."
  - (m) Delete from section 2.8.5(j)(ix) the words "or credit".

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- (n) Replace in section 2.8.8(d) the words "a value specified by the regulatory body" with "\$10,000, or \$600 and worth at least 300 times the amount wagered"
- (o) Replace in section 2.8.8(e) the words "a value specified by the regulatory body" with "\$10,000"
- (p) Replace in section 2.8.8(n)(iv).the words "a value specified by the regulatory body" with "\$10,000"
- (q) Add the following as section 2.9.1(c): "The Operator shall timely file with the Commission the reports required by this section in accordance with M.G.L. c. 23N, § 12(a)(ix) and 205 CMR."
- (r) Replace in section 3.3.1 the words "other applicable jurisdictional requirements observed by the regulatory body" with "the modifications described in 205 CMR 143.07"
- (s) Add the following as section A.1.2: "A.1.2 Independent Audit. Each Operator shall have their procedures and practices for wagering operations independently audited at least once every two (2) years with the results documented in a written report. Reports shall be maintained and available to the Commission upon request. An Operator's audit practices shall include, but not be limited to, the following:
  - a) Independent audits may be conducted by the Commission, or a Commission-approved third-party auditor. The Commission may, in its discretion, allow for an internal audit department within the Operator or parent company of the Operator, which is independent of the wagering operation, to serve as a third-party auditor for use in completing this audit.
  - b) The Commission, or third-party auditor shall be responsible for auditing the Operator's compliance with M.G.L. c. 23N, 205 CMR, this appendix, the internal control system, and any other applicable rules and regulations.
  - c) Documentation, including checklist, programs, reports, corrective actions, and other items, shall be prepared to evidence all independent audit work performed as it relates to the requirements of 205 CMR 243.01 and this appendix, including all instances of noncompliance.
  - d) Independent audit reports shall include objectives, procedures and scope, findings and conclusions, and recommendations.
  - e) Independent audit findings shall be reported to management. Management shall be required to respond to the independent audit findings and the stated corrective measures to be taken to avoid recurrence of the audit exception. Such management responses shall be included in the final independent audit report.
  - f) Follow-up observation and examinations shall be performed to verify that corrective action has been taken regarding all instances of noncompliance cited by the independent audits, or by the Commission. The verification shall be performed within six (6) months following the date of notification.
  - g) It is acceptable to leverage the results of prior audits conducted within the audit period by the same third-party auditor in another jurisdiction. Such leveraging shall be noted in the audit report. This leveraging does not include any procedures and practices unique to the Commonwealth, which will require new audits."
- (t) Make the following changes to section A.2:
  - (1) Add the following at the end of section A.2.1: "The internal control procedures shall meet the requirements of this appendix and 205 CMR."
  - (2) Replace section A.2.4(a) with: "Players identified as employees, subcontractors,

directors, owners, officers, or Qualifiers of an operator, as well as those within the same household, shall not place wagers through the operator, or through any other Operator tethered to the Operator, on any event, except in private pools where their association with the Operator is clearly disclosed.”

- (u) Replace in section A.4.5 the word “credit card” with “financial.”
- (v) Delete section A.7.4(d) and replace with the following: "(d)Is kept for at least one year after a sporting event occurs."
- (w) Delete from section A.8.3 the words "where required by the regulatory body".
- (x) Add the following as section B.1.2: "B.1.2 Independent Audit. The Operator shall, within ninety (90) days after commencing operations in the Commonwealth, and annually thereafter, have a technical security control audit conducted by a qualified independent technical expert selected by the Operator and subject to approval of the Commission. The Commission will establish minimum qualifications for technical experts, to be published on its website, which must be reviewed and updated annually, and which shall include the requirements of B.1.2(b).
  - a) The scope of the technical security control audit is subject to approval of the Commission or its designee and must include, at a minimum, all of the following:
    - i. A vulnerability assessment of all digital platforms, mobile applications, internal, external, and wireless networks with the intent of identifying vulnerabilities of all devices, the servers, and applications transferring, storing, and/or processing personally identifiable information and/or other sensitive information connected to or present on the networks.
    - ii. A penetration test of all digital platforms, mobile applications, internal, external, and wireless networks to confirm if identified vulnerabilities of all devices, the servers, and applications are susceptible to compromise.
    - iii. A review of the firewall rules to verify the operating condition of the firewall and the effectiveness of its security configuration and rule sets performed on all the perimeter firewalls and the internal firewalls;
    - iv. An information security assessment against the provisions adopted in M.G.L. c. 23N, 205 CMR, this appendix with generally accepted professional standards, and as approved by the Commission;
    - v. If a cloud service provider is in use, an assessment performed on the access controls, account management, logging and monitoring, and over security configurations of their cloud tenant;
    - vi. An evaluation of information security services, payment services (financial institutions, payment processors, etc.), location services, and any other wagering services which may be offered directly by the Operator or involve the use of third parties against the provisions adopted in these rules; and
    - vii. Any other specific criteria or standards for the technical security control audit as prescribed by the Commission or its designee.
  - b) To qualify as an independent technical expert, the independent technical expert shall:
    - i. Have relevant education background or in other ways provide relevant qualifications in assessing Event Wagering Systems;
    - ii. Obtain and maintain certifications sufficient to demonstrate proficiency and expertise as a network penetration tester by recognized certification boards, either nationally or internationally;

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- iii. Have at least five years' experience performing technical security control audits on Event Wagering Systems; and
- iv. Meet any other qualifications as prescribed by the Commission or its designee.
- c) The full independent technical expert's report on the assessment must be submitted to the Commission no later than thirty (30) days after the assessment is completed and must include all the following:
  - i. Scope of review;
  - ii. Name, company affiliation, contact information, and qualifications of the individual(s) who conducted the assessment.
  - iii. Date of assessment;
  - iv. Findings;
  - v. Recommended corrective action, if applicable; and
  - vi. The Operator's response to the findings and recommended corrective action.
- d) It is acceptable to leverage the results of prior assessments within the past year conducted by the same independent technical expert in another jurisdiction or against standards such as ISO/IEC 27001, ISO/IEC 27017, ISO/IEC 27018, the NIST Cybersecurity Framework (CSF), the Payment Card Industry Data Security Standards (PCI-DSS), or equivalent. Such leveraging shall be noted in the independent technical expert's report. This leveraging shall not include critical components unique to the Commonwealth which will require fresh assessments.
- e) If the independent technical expert's report recommends corrective action regarding an item identified as High, or, with respect to any other corrective action, if the Commission so directs the Sports Wagering Operator, the Sports Wagering Operator must provide the Commission with a remediation plan and any risk mitigation plans which detail the Operator's actions and schedule to implement the corrective action. Once the corrective action has been taken, the Sports Wagering Operator shall provide the Commission with documentation evidencing completion."
- (y) Replace the paragraph in B.2.2 with the following: "The Sports Wagering Operator shall provide the Commission with information on the secure locations of all servers and other Sports Wagering Equipment for the Commission's approval. Unless otherwise approved by the Commission, the primary server or other equipment primarily responsible for the acceptance of sports wagers shall be placed in secure locations within the Commonwealth. In addition, secure location(s) shall:"
- (z) Replace section B.4.5 with the following: "B.4.5 Communications in Wagering Venues. If a guest network is offered that provides internet access for players, venue guests, or vendors, the guest network must be physically or logically segregated from the network used to serve the Event Wagering System. Communications on the guest network must be non-routable to the Event Wagering System network."
- (aa) Delete from section B.7.6 the words "If required by the regulatory body"
- (bb) Add the following to the beginning of section B.9.5: "The Commission may approve of the use of internet or cloud-based hosting of duplicate data or data not related to transactional wagering data upon written request of the Operator."
- (cc) In Section A.6.4:
  - (1) Replace "authorized" with "permitted";
  - (2) After "prior approval of the regulatory body," insert "except in accordance with the Operator's approved house rules or internal controls."

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REGULATORY AUTHORITY

M.G.L. c. 23N, §4.