ANNUAL REPORT

2021

MASSACHUSETTS GAMING
MASSGAMING
COMMISSION

LETTER FROM THE CHAIR

December 2021

The Honorable Charles Baker, Governor
The Honorable Maura Healey, Attorney General
The Honorable Deborah Goldberg, Treasurer
The Honorable Michael Rodrigues, Chair, Senate Committee on Ways and Means
The Honorable Aaron Michlewitz, Chair, House Committee on Ways and Means
The Honorable Eric Lesser, Senate Chair, Joint Committee on Economic Development and Emerging Technologies
The Honorable Jerald Parisella, House Chair, Joint Committee on Economic Development and Emerging Technologies

HONORABLE MADAMS AND MESSRS.

It has been a milestone year. Ten years have passed since the enactment of the Expanded Gaming Act. And an unimaginable set of circumstances found the Commonwealth's three licensed casinos gradually rebuilding to full-scale operations just prior to the start of this fiscal year, after about 440 days of unprecedented closure and subsequent compliance with strict public health protocols. The 2021 Annual Report details the Massachusetts Gaming Commission's operations from July 1, 2020 through June 30, 2021 (FY21) in accordance with G.L. c.23K, §70. It also documents the resilience of this emerging Massachusetts industry, the effective oversight of our agency's committed team, and the numerous successes of a year marked by relentless uncertainty.

Despite the impacts of COVID-19, our licensees – Plainridge Park Casino, MGM Springfield, and Encore Boston Harbor – grossed $815.4 million in FY21, contributing $233.27 million in tax revenue to the Commonwealth. As of July 31, the cumulative GGR exceeded $2.4 billion.

Our workforce remained fully remote throughout the fiscal year with seamless virtual connectivity, and the Commission successfully held no less than 58 remote public meetings (not inclusive of additional public hearings), relying on the statutorily extended modifications to the Open Meeting Law. Like employers across the Commonwealth and our nation, the Gaming Commission sought to leverage the flexibility gained from remote work and the indisputable benefits of in-person collaboration and adopted a hybrid work arrangement. The MGC hybrid work model offers management and staff, respectively, the opportunity to work out-of-the-office two and three days per week.

FY21 also saw transition at the Commission level with the departure of two Commissioners: Bruce Stebbins and Enrique Zuniga, both who made significant contributions to the MGC since its inception in 2011. Karen Wells, appointed Executive Director in September of 2020, set, and met her stated operational priorities as the agency continued to pivot successfully in response to the pandemic.

The Commission renewed its commitment to build upon diversity efforts underway at the three gaming facilities and with increased internal emphasis. The Equity and Inclusion Working Group, convened in June of 2020, continued to make measurable progress on its action plan. With pledged intentionality, we revised and enhanced hiring practices to minimize disproportionate negative impact on people of color and achieved a workforce diversity just one percentage point shy of our 25% goal.

The highlights for this fiscal year are further detailed on page 9. I wish to thank my fellow Commissioners for their dedicated service as we work to ensure the public confidence in the integrity of the gaming license process and strict oversight of the gaming establishments. On their behalf, I commend the consistent, thorough, and transparent efforts of the entire MGC team as the unique challenges of the year continued to impact our Commonwealth and the world around us.

The Commission remains available to discuss our work and goals for the year ahead as we begin the next decade of rigorous and fair regulation of expanded gaming here in Massachusetts.

Sincerely,

MISSION STATEMENT

The mission of the Massachusetts Gaming Commission is to create and maintain a fair, transparent, and participatory process for implementing the expanded gaming law passed by the Legislature and signed by the Governor in November of 2011. The Commission strives to ensure that its decision-making and regulatory systems engender the confidence of the public and participants, and that they provide the greatest possible economic development benefits and revenues to the people of the Commonwealth, reduce to the maximum extent possible the potentially negative or unintended consequences of expanded gaming, and allow an appropriate return on investment for gaming providers that assures the operation of casino-resorts of the highest quality.

KEY PROVISIONS OF THE GAMING ACT

Chapter 194 of the Acts of 2011 ("The Gaming Act") includes significant features to ensure public confidence and a robust gaming industry that generates economic development while providing mitigation measures to protect potentially vulnerable groups.

A STRONG, INDEPENDENT REGULATORY FRAMEWORK

- Five full-time commissioners appointed by three constitutional officers
- Rigorous standards for suitability and licensure of companies, vendors, and employees
- On-site presence of gaming agents, state police, and GameSense advisors
- Detailed regulations and strict oversight to ensure integrity of the operations and fairness of the games

FUNDED MITIGATION MEASURES

- A significant portion of category 1 gaming taxes (6.5%) flow to the Community Mitigation Fund administered by the MGC to provide grants to cities and towns affected by the operations of the casinos.
- In addition, Host Communities are entitled to a Host Community Agreement negotiated between the licensee and the local executive. Surrounding Communities have a process for addressing mitigation concerns, which must also be funded and addressed by the licensees.
- The Public Health Trust Fund was established to assist social service and public health programs dedicated to addressing problems associated with compulsive gambling.

A ROBUST AND FUNDED RESEARCH MANDATE

The Gaming Act enshrines the role of research in enhancing responsible gaming and mitigating the negative consequences of expanded gaming in Massachusetts. To further these ends, the Secretary of the Executive Office of Health and Human Services and the Commission entered into a memorandum of understanding which addresses distributions from the Public Health Trust Fund and supports the Gaming Act's directive to the MGC to:

- Understand the social and economic effects of expanded gambling, by conducting a baseline study and subsequent studies of all relevant critical, social and economic variables;
- Obtain scientific information relative to the neuroscience, psychology, sociology, epidemiology, and etiology of gambling; and
- Make annual, scientifically-based recommendations for policy to the Legislature.

POLICIES TO MAXIMIZE THE BENEFITS TO THE COMMONWEALTH

- A competitive and transparent process for license solicitation, evaluation and award of up to three category 1 licenses and one category 2 license to maximize capital investment.
- Clear directives and specific criteria to realize economic benefits to support local, small and diverse businesses, and employ the unemployed and underemployed while protecting vulnerable groups.
- Other policy goals designed to enhance and support assets of the Commonwealth, including requirements to support local tourism efforts, workforce development reporting, and protection of the Lottery and impacted live entertainment venues.

LEGISLATIVE UPDATE

Since its inception, in accordance with the statutory mandates and authority in G.L. c.30, §33 and G.L. c. 23K (the "Gaming Act"); the Commission has submitted a variety of recommendations for, or comments on, proposed legislative action. Between FY2013 and FY2020, the Commission filed submissions with the Legislature relative to charitable gaming (G.L. c. 271, §7A), horse racing and simulcasting, and the conflict-of-interest law's application to certain MGC subcommittees.

While the Commission did not forward any such filings in FY2021, it did assist in the developing legislative discourse and action on sports wagering:

Sports wagering. This fiscal year the Commission, represented by the Chair and Executive Director, testified at a legislative hearing held on June 17, 2021 relating to the possible legalization of sports wagering. The MGC staff, which continues to prepare for any assigned regulatory role should sports betting become permissible in the Commonwealth, remained readily available to respond to any legislative inquiries. The Commission also authorized the release of two sports wagering-related white papers, both which were submitted to the Joint Committee on Economic Development and Emerging Technology: (1) *Applying Principles of the Massachusetts Responsible Gaming Framework to Sports Wagering Policy and Practice, which provided an overall orientation to responsible sports wagering policies and practices and offers recommendations*, and (2) *Sports Betting Update: A Report on the Status of Play*, which updated the Commission's earlier 2018 white paper and served as a fact-based paper highlighting the variance in policy decisions across jurisdictions and reflected the rapid evolution of the national sports wagering landscape.

The following substantive areas, in which the Commission took formal action in the past, remain worthy of consideration:

Permanently addressing the horse racing statutes to optimize the success of the remaining racing industry. As part of the Gaming Act (Chapter 194 of the Acts of 2011, §104), the Commission was tasked with providing findings and recommendations to the Legislature on racing in the Commonwealth. It did so in April 2013 in a report that included a draft proposed new G.L. c. 128D. While the Legislature did not enact the proposed G.L. c. 128D, a variety of efforts to address this issue have resulted in annual extensions of sections 128A and 128C, which have allowed horse racing and simulcasting to continue. The extensions have also allowed Suffolk Downs and Raynham Park to continue simulcasting independent of Commission action.

The Commission has resubmitted proposed G.L. c.128D language on several subsequent occasions, most recently on January 22, 2019, as an agency filed bill. **The current statutes that govern live racing and simulcasting in the Commonwealth (G.L. c. 128A and c.128C) expire on July 31, 2022.** Industry stakeholders have previously indicated that the current short-term nature of the law creates uncertainty as to the viability of live horse racing and the ancillary industries in the Commonwealth. Accordingly, the Commission favors an approach that includes a comprehensive statutory amendment that takes a more long-term view that includes provisions that allow, for example, the Commission to set the minimum number of race days, to make use of the Race Horse Development Fund to provide broader assistance to the racing industry, and to award new licenses to qualified applicants.

Charitable gaming. The Gaming Act afforded the Commission authority to regulate and enforce G.L. c.271, § 7A relating to bazaars. By law, this activity has historically been overseen by the Attorney General's Office and the State Lottery Commission. Section 103 of the Gaming Act directed the Commission to analyze the laws relative to charitable gaming and report its findings and recommendations, including any proposed draft legislation, to the Legislature. To that end, the Commission, in close coordination with the Attorney General's Office and the State Lottery Commission, developed proposed amendments that would update the existing law to reflect best practices and remove the Commission from the charitable gaming oversight process. A bill (HB2836) addressing this topic was last filed by Representative Joseph Wagner in the 2017-2018 legislative session.

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ABOUT THE COMMISSIONERS

Cathy Judd-Stein (Chair)
February 2019 – Current

Governor's Appointee

Gayle Cameron
April 2012 – March 31, 2022

Joint Appointment – Governor, AG, Treasurer

Legal and Policy Issues Related to Gaming

Eileen O'Brien
April 2018 – Current

Attorney General's Appointee

Criminal Investigations and Law Enforcement

We wish to recognize the following commissioners who departed during 2021 but contributed greatly to our work and mission during this report period.

Bruce Stebbins
April 2012 – January 2021

Enrique Zuniga
April 2012 – September 2021

We also welcome our newest commissioner who joined after this fiscal year. Commissioner Hill dove right in upon his arrival, currently serving as the Community Mitigation Funds representative.

Brad Hill
September 2021 – Current

Joint Appointment – Governor, AG, Treasurer

Gaming Regulatory or Gaming Industry Management

FY21 BY THE NUMBERS

$815M
GROSS GAMING REVENUE

$233M
TAX REVENUE TO THE COMMONWEALTH

$298M
PARI-MUTUEL HANDLE

$54.7M
CASINO GOODS/ SERVICES SPEND WITH MA VENDORS

$12.2M
RACE HORSE DEVELOPMENT FUND DISTRIBUTIONS

110
DAYS OF LIVE RACING

$4.8M
COMMUNITY MITIGATION FUNDS

2021 marked the seventh year of funding for mitigation projects across the Commonwealth. Since 2015, the MGC has awarded nearly **$28 million** in grants from the Community Mitigation Fund.

$3.4M
DEPT. OF REVENUE INTERCEPTS

In FY21, IEB Gaming Agents helped to intercept these funds from unpaid taxes and child support payments, redistributed to the Department of Revenue.

FY21
RESEARCH AND RESPONSIBLE GAMING

FY21 ended with **1,100** individuals enrolled in VSE and **23,087** enrolled in PlayMyWay.

MGC WORKFORCE

24% DIVERSE

53% WOMEN

CASINO JOBS IN FY21

3,470 EMPLOYEES

64% MINORITY

42% WOMEN

TAX COLLECTIONS AND AGENCY FINANCES

MGC's Division of Administration and Finance (A&F), led by the Chief Financial and Accounting Officer, is responsible for the strict oversight of casino revenues and the collection of taxes due to the Commonwealth from those operations. The taxes and assessments on gross gaming revenues for the category 2 licensee is 49%. The tax on category 1 licensees is 25%.

The Division is also in charge of completing all financial transactions and coordinating with other functional areas to complete administrative functions including, but not limited to, accounting, budgeting, payroll and HR, inclusive of classification and compensation within the MGC structure.

GAMING REVENUES AND TAX COLLECTIONS

In its sixth year of operation, the category 2 licensee, Plainridge Park Casino, reported $122.61M in gross gaming revenues, which generated $49.05M in tax dollars to local aid and $11.03M in assessments to the Race Horse Development Fund for a total of $60.08M in taxes.

MGM Springfield reported $203.03M in gross gaming revenue, which generated $50.76M in taxes for the Commonwealth. Encore Boston reported $489.75M in gross gaming revenue, which generated $122.44M in taxes. The total of taxes for category 1 licensees amounted to $173.19M.

Combined, all licensees contributed $233.27 million to the Commonwealth for FY2021.

Below are charts by month by licensee, also posted to the Commission's website.

CATEGORY 1 LICENSEE REVENUE

MGM Springfield FY21

SPECIFIC IMPACT GRANTS		
Month	**Total Slot and Table GGR**	**Total (25%) in Collected State Taxes**
July	$ 10,703,754.22	$ 2,675,938.56
August	$ 18,462,943.63	$ 4,615,735.91
September	$ 17,618,738.18	$ 4,404,684.55
October	$ 17,506,081.69	$ 4,376,520.42
November	$ 10,501,734.57	$ 2,625,433.64
December	$ 11,385,366.42	$ 2,846,341.61
January 2021	$ 14,498,459.13	$ 3,624,614.78
February	$ 16,893,706.14	$ 4,223,426.54
March	$ 22,063,598.83	$ 5,515,899.71
April	$ 21,933,551.96	$ 5,483,387.99
May	$ 21,252,673.13	$ 5,313,168.28
June	$ 20,206,647.44	$ 5,051,661.86
Total FY21	**$ 203,027,255.34**	**$ 50,756,813.84**

Encore Boston Harbor FY21

SPECIFIC IMPACT GRANTS		
Month	**Total Slot and Table GGR**	**Total (25%) in Collected State Taxes**
July	$ 26,977,806.64	$ 6,744,451.66
August	$ 42,390,348.83	$ 10,597,587.21
September	$ 42,974,803.89	$ 10,743,700.97
October	$ 41,137,184.71	$ 10,284,296.18
November	$ 27,349,341.89	$ 6,837,335.47
December	$ 29,272,903.77	$ 7,318,225.94
January 2021	$ 33,315,530.63	$ 8,328,882.66
February	$ 40,993,446.05	$ 10,248,361.51
March	$ 49,666,739.61	$ 12,416,684.90
April	$ 50,182,346.01	$ 12,545,586.50
May	$ 52,928,281.45	$ 13,232,070.36
June	$ 52,559,286.24	$ 13,139,821.56
Total FY21	**$ 489,748,019.72**	**$ 122,437,004.93**

CATEGORY 2 LICENSEE REVENUE

Plainridge Park Casino FY21

SPECIFIC IMPACT GRANTS			
Month	**Slot GGR**	**Total in Collected State Taxes (40%)**	**Total in Collected Race Horse Dev Fund (9%)**
July	$ 7,740,863.58	$ 3,096,345.43	$ 696,677.72
August	$ 10,168,966.21	$ 4,067,586.48	$ 915,206.96
September	$ 9,948,093.35	$ 3,979,237.34	$ 895,328.40
October	$ 10,087,191.39	$ 4,034,876.56	$ 907,847.23
November	$ 7,595,273.47	$ 3,038,109.39	$ 683,574.61
December	$ 9,173,051.06	$ 3,669,220.42	$ 825,574.60
January 2021	$ 9,792,037.73	$ 3,916,815.09	$ 881,283.40
February	$ 9,554,063.54	$ 3,821,625.42	$ 859,865.72
March	$ 12,226,760.96	$ 4,890,704.38	$ 1,100,408.49
April	$ 12,516,260.43	$ 5,006,504.17	$ 1,126,463.44
May	$ 12,494,990.14	$ 4,997,996.06	$ 1,124,549.11
June	$ 11,317,898.67	$ 4,527,159.47	$ 1,018,610.88
Total FY21	**$ 122,615,450.53**	**$ 49,046,180.21**	**$ 11,035,390.55**

AGENCY FY21 FINANCIAL RESULTS

The Commission approved an FY21 budget for the Gaming Control Fund of $32.4M, which required an initial assessment of $29.67M on licensees. After three quarters of adjustments, the MGC's revised budget was $32.9M, which required a $27.6M assessment on licensees. Included in both the final spending and revenue figures are the costs for the independent monitor at Encore Boston Harbor (EBH).

Actual spending for FY21 in the Gaming Control Fund was $31.25M and revenues were $33.2M, resulting in revenue exceeding spending by $1.95M. Again, in FY21, there were expenses for the central monitor, which are a direct cost to EBH. There was a small portion of the independent monitoring fees that were paid in FY21 and the corresponding revenue was not received until FY22 ($97.9K). Because the independent monitor fees should be paid by Encore Boston Harbor, that $97.9K is added to the surplus revenue of $1.95M, resulting in a total FY21 surplus of $2.05M. The $2.05M will be credited to the licensees' FY22 assessment.

10500001 – GAMING CONTROL FUND		
MGC Regulatory Cost	**Budget Projections**	**Actuals**
AA Regular Employee Compensation	$ 6,590,683.08	$ 6,654,986.71
BB Regular Employee Related Expense	$ 4,561.40	$ 7,158.28
CC Special Employees	$ 231,950.00	$ 143,297.39
DD Pension & Insurance Related Ex	$ 2,475,142.82	$ 2,486,864.86
EE Administrative Expenses	$ 428,328.44	$ 253,816.58
FF Program, Facility, Operational Supplies	$ 36,000.00	$ 35,901.02
GG Energy Costs and Space Rental	$ 1,320,986.22	$ 1,335,154.85
HH Consultant Svcs (To Depts)	$ 1,820,169.83	$ 1,909,974.65
JJ Operational Services	$ 9,960,644.70	$ 8,706,032.82
KK Equipment Purchase	$ 21,500.00	$ 1,200.00
LL Equipment Lease-Maintain/Repair	$ 44,994.25	$ 26,189.16
NN Non-Major Facility Maintenance Repair	$ 20,000.00	$ 9,020.71
PP State Aid/Pol Sub/Osd	$ 150,000.00	$ 110,203.75
TT Payments & Refunds	$ –	$ –
UU IT Non-Payroll Expenses	$ 4,328,393.44	$ 4,078,841.09
MGC Regulatory Cost Subtotal:	**$ 27,433,354.18**	**$ 25,758,641.87**
EE Indirect Costs	**$ 2,015,652.30**	**$ 2,044,194.02**
Office of Attorney General		
ISA to AGO	$ 2,410,000.00	$ 2,123,034.76
TT Reimbursement for AGO 0810-1024	$ –	$ 408,103.06
AGO State Police	$ 976,948.80	$ 844,935.59
Office of Attorney General Subtotal:	**$ 3,386,948.80**	**$ 3,376,073.41**
ISA to ABCC	**$ 75,000.00**	**$ 74,900.66**
Gaming Control Fund Total Costs	**$ 32,910,955.28**	**$ 31,253,809.96**

10500001 – GAMING CONTROL FUND		
Revenues	**Budget Projections**	**Actuals**
Gaming Control Fund Beginning Balance 0500	$ 1,060,392.28	$ 1,060,392.28
EBH Security Fees 0500/Monitoring	$ 1,815,075.35	$ 2,028,050.58
IEB Background/Investigative Collections 3000	$ 46,405.01	$ 138,563.87
Category/Region Collection Fees 0500	$ –	$ –
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	$ 1,092,773.08	$ 1,071,000.00
Region B Slot Machine Fee 0500	$ 456,057.69	$ 483,715.38
Slots Parlor Slot Machine Fee 0500	$ 451,350.00	$ 404,861.54
Gaming Employee License Fees (GEL) 3000	$ 125,000.00	$ 71,800.00
Key Gaming Executive (GKE) 3000	$ 10,000.00	$ 2,000.00
Key Gaming Employee (GKS) 3000	$ 20,000.00	$ 21,500.00
Non-Gaming Vendor (NGV) 3000	$ 50,000.00	$ 73,698.00
Vendor Gaming Primary (VGP) 3000	$ 135,000.00	$ 212,100.00
Vendor Gaming Secondary (VGS) 3000	$ 25,000.00	$ 15,000.00
Gaming School License (GSB)	$ –	$ 4,000.00
Gaming Service Employee License (SER) 3000	$ 15,000.00	$ 7,275.00
Subcontractor ID Initial License (SUB) 3000	$ –	$ –
Temporary License Initial License (TEM) 3000	$ 15,000.00	$ –
Assessment for PHTF	$ 3,750,000.00	$ –
Transfer PHTF Assessment to PHTF	$ (3,750,000.00)	$ –
Veterans Initial License (VET) 3000	$ –	$ –
Transfer of Licensing Fees to CMF 0500	$ –	$ –
Assessment 0500	$ 27,610,620.73	$ 27,610,619.28
Misc/MCC Grant	$ 25,000.00	$ –
Misc/Bank Interest 0500	$ 7,603.29	$ 8,108.35
Grand Total	**$ 32,960,277.43**	**$ 33,212,684.28**

FY21 DIVISION REPORTS

DIVISION OF COMMUNITY AFFAIRS

The Division of Community Affairs, formerly known as the Office of the Ombudsman, is responsible for coordinating and communicating interactions among the Commission and many stakeholders: State Agencies, Licensees, Host and Surrounding Communities, and multiple other interested parties.

Community Mitigation Grants

The Community Mitigation Fund receives monies from the taxes on gross gaming revenues and is designed to address unanticipated impacts that may result from the construction and operations of casinos. It may also be used for planning, either to determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts. For 2021, $12.5 million was made available for local mitigation projects.

The Division of Community Affairs reviews requests for mitigation dollars and makes recommendations to the Commission on the award of grants from the Community Mitigation Fund. These recommendations are developed through an intensive process involving analysis by many MGC staff members.

During grant year 2021, the Community Mitigation Grants available were as follows:

1. **One-Time Reserve Grants in the amount of $100,000.** These grants reserve $100,000 for communities designated as host, surrounding, nearby or adjacent communities. To date, a total of 28 communities associated with Region A, B and the category 2 licensee have been granted reserves for a total of $2,800,000. As of December 31, 2021, 26 of the 28 Reserve Grants were in process.
2. **Specific Impact Grants.** These grants were developed to assist communities with mitigation needs specific to that community.

SPECIFIC IMPACT GRANTS

Applicant	Description	Award
Everett	Installation of Ubicquia lighting controls and Surveillance Lower Broadway and surrounding areas.	$ 30,000
Everett – Fire	The City of Everett Fire Department was awarded funding to supplement the additional personnel and operational costs incurred as a result of the increased staffing levels and service calls in response to the Encore's operations.	$ 157,000
Everett – Police	The City of Everett Police Department was awarded funding to purchase additional equipment, specifically police vehicles and personnel costs incurred as a result of the dedicated full-time staffing to the Gaming Enforcement Unit and the late-night services calls in response to the Encore's operations.	$ 70,000

HIGHLIGHT ★

To date, the Commission has allocated approximately $28 million in grants to host, surrounding and neighboring communities, governmental agencies and public safety organizations through grant year 2021.

SPECIFIC IMPACT GRANTS		
Applicant	**Description**	**Award**
Foxborough Police	The Town of Foxborough was awarded funds to pursue additional specialized training for personnel in a variety of high-liability areas. Additionally, to obtain equipment that will enhance capabilities over an ever-expanding mission.	$ 81,000
Hampden County Sheriff Dept	HCSD, in its seventh year of a 10-year lease, has experienced a significant lease offset due to the forced relocation of Western Massachusetts Recovery and Wellness Center (WMRWC) to make way for the MGM Casino.	$ 400,000
Hampden County DA	The Hampden County DA was awarded continued funding for the purpose of mitigating the impact of the casino and casino-related matters on the District Attorney's Office. The funding, which has been in place for three years, will continue to be for personnel to handle casino-related prosecutions.	$ 75,000
Plainville – Police	The Town of Plainville was awarded funds to acquire a transport van to transport prisoners, traffic mitigation equipment and an informational data collection sign board.	$ 95,500
Springfield – Fire Dept.	The City of Springfield was awarded funding to purchase defibrillators for apparatus that primarily responds to the casino area. These defibrillators will be compatible with those used by American Medical Response (AMR), the primary ambulance response to the City of Springfield.	$ 22,000
Springfield – Blueprint Implementation	From the 2020 efforts which established the Main Street/Convention District Master Development Plan, Springfield was awarded funding to advance the implementation of the strategic opportunities, priority recommendations and related due diligence to launch specific enhancement efforts, acquisition/control of properties, and potential solicitation processes within the district.	$ 400,000
Springfield – Police	The City of Springfield was awarded funds to procure equipment and technology in support of ongoing Metro Unit/MGM policing strategies.	$ 22,500
West Springfield – Police, Fire/EMS	The Town of West Springfield was awarded funding for additional police and fire/EMS personnel hired to increase staffing for the impact to municipal services resulting from the opening of the MGM Casino in Springfield, MA.	$ 200,000
	Total:	**$ 1,553,000**

3. **Transportation Planning Grants.** These grants were developed to assist communities in transportation and transportation-related impacts. The Commission continues to support regional approaches to mitigation needs and recognizes that some mitigation requires the commitment of more than one community. The Community Mitigation Fund provides an additional monetary incentive to communities that submit regional applications.

TRANSPORTATION PLANNING GRANTS		
Applicant	**Description**	**Award**
Boston	This grant provides a fifth year of funding for a portion of the design cost of improvement to Sullivan Square and Rutherford Avenue.	$ 200,000
Chicopee	This project includes advancing visioning and design efforts directed towards Chicopee Center's streetscapes. By rethinking the streetscapes, it will provide MGM Springfield employees, future employees and patrons safer and more equitable access to the casino.	$ 200,000
Everett – Mystic Riverwalk	This grant provides funds to design a missing section of the Mystic Riverwalk between Mystic View Park and the Route 16/Woods Memorial Bridge. This proposed section of trail would utilize a boardwalk to cross a wetland between the park and the bridge.	$ 200,000
Malden – Broadway	The City of Malden was awarded $200,000 to retain a consultant to provide transportation design services for the Broadway corridor from Everett to Melrose and to prepare bid-ready documents for a portion of the corridor closer to Everett.	$ 200,000
	Total:	**$ 800,000**

4. **Transportation Construction Grants.** This grant category was added in 2020 to allow for the implementation of mitigation projects identified in earlier transportation planning studies. The Commission anticipated authorizing no more than $1,000,000 for any one award.

TRANSPORTATION CONSTRUCTION GRANTS		
Applicant	**Description**	**Award**
Boston – Lost Village	This grant will implement geometric changes to the intersection of Brighton Street and Cambridge Street in Charlestown to create safer crossings and better line of sight for turning vehicles, as well as a fiber connection from Sullivan Square to the Parker Street intersection.	$ 239,000
Everett – Northern Strand	This grant was awarded for the addition of lighting on the Northern Strand Community Trail.	$ 135,000
Revere & Saugus – Route 1	This grant provided funds to the two communities for limited improvements to the Route 1 North right of way. The project stems from MGC planning grants, which enabled analysis of conditions and proposed new solutions to casino-generated traffic.	$ 800,000
Springfield – Dwight Street	This grant provided construction funds for the revitalization of Dwight Street from its intersection with Carew Street southerly to Worthington Street. Major elements will include roadway resurfacing, sidewalk and median improvements, bicycle accommodations, guardrails, and safety upgrades.	$ 200,000
	Total:	**$ 1,374,000**

5. **Workforce Development Grants.** This was the fifth year that the Commission allocated funding for Workforce Development purposes as part of the Community Mitigation Fund. This program was initially conceived to help increase job readiness in both Regions A and B in anticipation of the high volume of casino hires. Coming out of the COVID-related shutdown of the casinos in July 2020, the licensees continued to have difficulty finding qualified help, specifically in hospitality-related disciplines. The Commission voted to continue these workforce training programs to continue to feed the pipeline of workers as well as mitigate some of the impacts to the population that is most affected by the pandemic.

WORKFORCE DEVELOPMENT GRANTS			
Applicant	**Description**		**Award**
Holyoke Community College	*Work Ready 2021* is an enhancement of the collaborative effort of HCC, STCC, and SPS to provide a continuum of adult education, career readiness and occupational training to connect un-and-underemployed residents to education, training and employment opportunities to meet the workforce needs of MGM Springfield and the region.	$	400,000
MassHire MetroNorth Workforce Board	MBRGHC is a regional project aimed at addressing the workforce needs of the hospitality sector impacted by the Encore Boston Harbor gaming facility. A consortium of partners provide career and employment services, ESOL, and digital literacy trainings targeted at hospitality industry workers who have been impacted by the COVID-19-induced economic downturn.	$	400,000
	Total:	**$**	**800,000**

6. **Community Planning Grants:** For 2021, the Non-Transportation Planning Grant category was changed to Community Planning Grants to better reflect the types of planning that this category funds. These grants are available to all communities that previously qualified for Reserve funding.

COMMUNITY PLANNING GRANTS			
Applicant	**Description**		**Award**
Chelsea/Revere	This grant provides funds to the two communities to develop tailored curricula for Contextualized ESOL Programs & Adult Digital Literacy classes. Curricula will be geared towards industries at the casino's nexus, including hospitality, logistics, IT, healthcare and complemented by adult digital literacy programs for non-English speakers.	$	97,500
Lynn – Marketing Campaign	The City of Lynn was awarded funds to initiate a marketing campaign designed to mitigate the adverse effects on the City, its businesses and the newly instituted cultural district as a result of the operation of the Encore Boston Harbor casino.	$	100,000
Malden – Broadway Zoning	This grant provides funds to complete a zoning and land use review and propose amendments that reduces the number of zoning districts within the Corridor from five (5) to three (3) subdistricts. This will help to remove barriers to development within the Corridor and allow it to attract specific industry clusters.	$	50,000
Northampton	This grant was awarded to continue the Northampton Marketing Program for FY2022 leveraging the Northampton.live platform.	$	75,000
	Total:	**$**	**472,500**

7. **Tribal Gaming Technical Assistance Reserve:** The Commission made available up to $200,000 in technical assistance funding to assist in the determination of impacts that may be experienced by communities in geographic proximity to the potential Tribal Gaming facility in Taunton.

TRIBAL GAMING TECHNICAL ASSISTANCE RESERVE $200,000		
Applicant	**Description**	**Award**
Southeastern Regional Planning and Economic Development District (SRPEDD)	These funds have been set aside to provide funding to SRPEDD to assist in the determination of impacts that may be experienced by communities that are geographically proximate to the proposed Tribal Gaming facility. The Commission determined that this reserve should continue until there is a decision regarding the tribal facility.	$ 200,000

8. **Emergency Mitigation Grants:** The Commission has set aside not more than $200,000 in grant funds to mitigate unanticipated casino related impacts that arise after January 31, 2021. This grant is not intended to circumvent the normal CMF process.

Licensee Reporting and Oversight

The Division of Community Affairs helps the Commission remain up to date on the activities of its licensees, including the status of all three current facilities in meeting the terms of their licenses. The Division coordinates all licensee reports as well as developments regarding licensee progress towards a large number of license conditions, including their obligation to make a certain amount of annual capital expenditures.

The Division also coordinates with the host and surrounding communities with respect to compliance with host and surrounding community agreements. It assists in coordination of compliance measures with other state agencies that were established during the environmental review process. The Division further coordinates and supports legislatively-mandated advisory committees and sub-committees that support the Commission in the development of and adoption of the Community Mitigation Fund guidelines.

License Renewal – Plainridge Park Casino

The Division of Community Affairs coordinates the license renewal process for licensees as well as any interim reviews conducted during the license term. These involve coordinating reviews by all the divisions of MGC to evaluate ongoing compliance with the terms of the license and to ensure that licensees remain in good standing to hold a gaming license.

Plainridge Park Casino's original license was set to expire in June 2020 (the Category 2 license term is set in statute at 5 years). Due to the ongoing pandemic, the license renewal process extended into FY 2021. The Division worked with Plainridge Park as well as Commission staff to collect, review and disseminate all the information required for a license renewal. On September 16, 2020, the Commission held a Public Hearing to obtain public input from the host and surrounding communities and other interested parties. On September 30, 2020, the Commission voted to extend the Plainridge Park Casino license for an additional five years.

HIGHLIGHT ★

In 2020 the Community Affairs division focused on providing informational workshops for communities to encourage participation in the Community Mitigation Fund annual grant process. The first workshop, held on December 15, 2020, was geared to assist communities that had not taken advantage of their $100,000 Reserve grants awarded in 2015 and 2016. The second workshop, held on January 6, 2021, focused on the application process and requirements, provided insight into how other communities have used their funds and helped identify uses of the Community Mitigation Funds. The third workshop, held on January 8, 2021, focused on the Workforce Development Application, which provided further insight into collaboration and opportunities for unique programming.

DIVERSITY AND LEGISLATIVE AFFAIRS

In FY21, the former Office of Workforce, Supplier and Diversity Development became the Office of Diversity and Legislative Affairs. While the team continued to focus on employment and supplier spend compliance, its directive expanded to include a focus on the agency's internal diversity initiatives and new activities related to legislation and government affairs.

Licensee Diversity Monitoring and Compliance

MGC ensures licensees' compliance with the Gaming Act's goals for business, workforce development and diversity during construction and operations. MGC's efforts and those of licensees include requirements to (1) set goals and submit strategic plans for the inclusion of minority, women and veterans, (2) regularly report progress towards those goals, (3) support workforce development programs and affirmative action plans for the training and hiring of underemployed and unemployed, and (4) strategize with stakeholders for the hiring of Massachusetts residents and contracting with local diverse small businesses.

FY21 marked the first year that compliance and monitoring focused entirely on operations. However, it was a unique year as the pandemic heavily impacted the workforce and rehiring. As the casinos rebuilt their employee base, the Diversity and Legislative Affairs team honed in on ensuring that reporting was consistent and comprehensive while diving into strategies for reaching supplier diversity goals.

To support that effort, the department worked with Local Enterprise Assistance Fund (LEAF) to continue a Small Business Technical Assistance grant program that had been launched in 2020. Given $100,000 in funding for FY21, LEAF committed to providing one-on-one advisory services to companies that were current vendors to the casinos in the Commonwealth and to companies that had been identified by the casinos as potential vendors. Aside from aiding in the maintenance of small, local business contracts identified by MGC or the casinos as ones that would benefit from technical assistance, they provided services to at least 175 businesses, of which 88 were Minority Business Enterprises (MBEs) and 54 were Women Business Enterprises (WBEs). Of those, 109 were MA-based. They further identified 48 top contenders as casino procurement matches and provided capability statements for each to the licensees. Continuing this work solidified necessary relationships between LEAF and the licensees which better enables the diverse supplier pipeline. LEAF established that a more accessible, robust tool for communication and housing capability statements would be beneficial and began initial discussions with the licensees as a result.

The Office of Diversity and Legislative Affairs also continued to oversee the workforce development grants totaling over $430,000 in FY21.

Industry Report: In July 2021, the Diversity and Legislative Affairs division released its third report chronicling industry insights regarding impacts to local businesses, workforce and diversity measures covering the 2019 calendar year. The 2019 Impact Report, the third production in the series, marked notable milestones for the casino industry, including the first time all three casino properties were operational. Highlights from the report:

- More than 9,800 jobs were created by the industry in 2019
- 84% of the individuals in those jobs were Massachusetts residents
- Of casino construction and operations employees, more than 4,300 were minority, 3,200 were women, and nearly 400 were veterans
- Casino licensees spent more than $64 million with diverse vendors and suppliers
- The gaming industry spent more than $78.3 million with Massachusetts businesses, including $34.2 million with host and surrounding communities

This was the first time that data from all three reports could be compiled side-by-side to articulate trends and growth in the industry exemplifying the legislative intent to create jobs and business opportunities for Massachusetts citizens.

Results on Licensee Workforce and Supplier Diversity Goals

All data is provided from the 2021 Q2 reporting period.

MGC staff continue to monitor the impact the closures had on the local workforce and procurement.

Operational Diversity

WORKFORCE						
	MBE		VBE		WBE	
	Goal	Result	Goal	Result	Goal	Result
Encore Boston Harbor	40%	55%	3%	3%	50%	43%
MGM Springfield	50%	52%	2%	7%	50%	42%
Plainridge Park	15%	24%	2%	6%	50%	40%

SUPPLIER						
	MBE		VBE		WBE	
	Goal	Result	Goal	Result	Goal	Result
Encore Boston Harbor	8%	12%	3%	2%	14%	14%
MGM Springfield	10%	1.2%	2%	1.5%	15%	4.4%
Plainridge Park	6%	5%	3%	3%	12%	19%

Local Commitments

ENCORE BOSTON HARBOR		
	Goal	Result
Workforce Within 30 Miles	75%	86%
MA Workforce	N/A	89%
MA Supplier Spend	N/A	56%

PLAINRIDGE PARK CASINO		
	Goal	Result
Host/Surrounding Community Workforce	35%	40%
MA Workforce	N/A	65%
MA Vendor Spend	N/A	52%
Host/Surrounding Community Spend	N/A	9%

MGM SPRINGFIELD		
	Goal	Result
Springfield Workforce	35%	37%
MA Workforce	N/A	77%
Western MA Workforce	N/A	75%
MA Supplier Spend	N/A	50.2%
Western MA Supplier Spend	N/A	39.6%

Industry Impacts On Workforce and Diversity – FY21

The information below shows the impacts of the casino industry as a whole for FY21.[1, 2]

	TOTAL	MASSACHUSETTS
Employment		
Total	3470	2981
Women	1460	1255
Minority	2224	1986
Veterans	142	115
Wages		
Total	$ 172,539,618.01	$ 138,927,982.03
Women	$ 67,449,004.48	$ 54,652,074.45
Minority	$ 104,162,999.84	$ 85,072,111.80
Veterans	$ 7,905,739.76	$ 6,250,904.57
Vendor Spend		
Total	$ 109,142,148.16	$ 54,679,103.26
WBE	$ 6,593,765.39	$ 3,914,749.25
MBE	$ 6,572,423.48	$ 5,299,002.37
VBE	$ 1,526,772.46	$ 583,009.58

[1] Industry data provided by researchers at the UMass Donahue Institute. [2] Averages taken for employment numbers across period of June 2020 – June 2021.

MGC's Workforce, Diversity, and Human Resources Update

In FY21, the Commission enhanced efforts toward internal diversity initiatives, including goals to increase the diversity of the agency's workforce, focusing on supplier diversity goals and programming towards equity and inclusion. With respect to the latter, in response to the national discourse arising in June of 2020, the Chair convened an Equity and Inclusion working group comprised of several employees across varying divisions. The working group was asked to consider and examine relevant operations within the MGC and create an ongoing action plan to address racial inequity. A statement of purpose was developed, affirming MGC's commitment to racial equity and justice, diversity, and inclusion with a five-item action plan promoting:

1. **Culture:** develop and sustain an agency-wide internal culture of proactive inclusion where everyone can belong, contribute, and succeed.
2. **Regulatory Review:** institute regulatory review that includes a criterion to review MGC regulations through an anti-racism lens.
3. **Customer Service:** ensure that internal policies, procedures and practices are fair and equitable, enhancing economic prosperity for individuals of color.
4. **Hiring and Retention:** enhance practices to increase and elevate diverse representation throughout the MGC.
5. **Procurement Practices:** revise procurement policies to maximize the MGC's and licensees' MBE spend.

The Commission unanimously adopted the plan in September. It is to be supported and executed, with intentionality, by the entire MGC team.

The agency launched cultural programming, required unconscious bias training and reviewed job descriptions and interview processes to be more inclusive. MGC participated for the third year in All-In Diversity's All-Index, which is an international benchmarking tool for diversity and inclusivity in the gaming industry.

As a result of several of MGC's diversity initiatives combined, the organization's diversity has grown significantly over the years, jumping to 24% during FY21.

In FY21, women made up **52.5%** of the agency's workforce.

The chart below documents the approved positions for each fiscal year budget, and not actual headcounts. *(These numbers below do not include state police assigned to the Commission, or FTE's in the Attorney General's Office of Gaming Enforcement. Additionally, this does not include seasonal employees for racing.)*

APPROVED FTES

Division	Unit	2020	2021
Administration and Finance	1000	6.5	6.5
Human Resources	1100	3.5	2.5
Legal	1200	5	5
Executive Director	1300	5.5	4.5
Information Technology	1400	9.5	9.5
Commissioners	1500	5	5
Workforce and Supplier Diversity	1600	2	2
Research and Responsible Gaming	1700	2	3
Communications	1800	2	2
Ombudsman	1900	3	3
Racing	3000	3	3
Investigations and Enforcement	5000	50	50
Licensing	7000	7	7
		104	**103**

MGC's Human Resources division saw impacts to the workforce that mirrored those around the country, with significant movement in 2021 including 21 departures, 129 interviews completed, 13 internal promotions and 27 offers extended. Additional COVID-19 impacts continued to affect HR operations including extended office hours to support remote work, partnering with the Executive Director on remote Town Hall efforts, planning a return to the office environment, and developing a hybrid work model for employees.

MGC Supplier Diversity Goals

Total Diversity Spend for FY21= $3,998,208

MBE		SDVOBE[2]		WBE		SBPP (SMALL BUSINESS)	
Goal	Result	Goal	Result	Goal	Result	Goal	Result
8%	4.9%	3%	.33%	14%	6.68%	3.3%	48.71%

We continue to strive toward our supplier diversity goals and took even greater initiative toward the end of calendar year 2021 by becoming the first regulatory member of the Greater Boston Business Chamber's Pacesetter program.

Legislative Affairs

One of the added roles for the Diversity and Legislative Affairs department was to oversee the facilitation and management of the Gaming Policy Advisory Committee (GPAC) and its subcommittees. Governor Charles D. Baker appointed a new GPAC chair in November of 2020, Meg Mainzer-Cohen. Two meetings were held in FY21, in February and June.

In June, the division released a fact-based white paper to legislators, "Sports Betting Update: A Report on the Status of Play", highlighting the variance in policy decisions across jurisdictions to assist in the development of potential sports wagering legislation in the Commonwealth as conversations were taking place and bills were being drafted.

In addition to communications with legislators about sports wagering, the department this year spearheaded efforts to ensure a racing bill (H3976) was enacted to again extend the racing and simulcasting law for another year, ensuring that racing didn't become illegal in the Commonwealth after July 30, 2021. Under the most recent extension, horse racing and simulcast wagering are legal in Massachusetts until the end of July 2022.

INFORMATION AND TECHNOLOGY SERVICES

The MGC Information Technology Services Division (ITS), led by the Chief Information Officer, comprises of two major teams: 1) the Corporate Technology Unit and 2) the Gaming Technology Compliance Unit.

Corporate Technology

The Corporate Technology Unit (CTU) provides information technology products and services, governance, and security to meet the needs of the MGC community and achieve the highest level of customer satisfaction.

Over the past year, ITS implemented numerous changes to improve, stabilize, and provide a robust and agile computing environment for the MGC community. After the prior year's smooth and efficient transition to allow remote working capabilities, ITS continues to build its portfolio of services and products.

Gaming Technology Compliance

The Gaming Technology Compliance Unit (GTCU) is responsible for planning, organizing, managing and implementing the regulations, policies, procedures and testing needed to ensure the integrity of electronic gaming devices (EGDs AKA slot machines) and associated software and equipment. Currently, there are 5,276 EGDs across all three casinos in Massachusetts, which the GTCU continuously monitors.

HIGHLIGHT ★

In FY2021, ITS launched the new MGC secure file transfer site, allowing both internal and external parties to securely send and receive confidential documents. All on-premises data was migrated to SharePoint Online, providing the MGC community with secure access locally and remotely. To further enhance access and security to MGC resources, the new MGC VPN service using Multi-Factor Authentication (MFA) was launched, providing better management, security and responsiveness.

The GTCU oversees the issuance of certifications and permits for the use of EGDs in Massachusetts. Last year, the GTCU certified 1073 individual software packages approved for use in Massachusetts by our Certified Independent Testing Labs (CTIL). Through the assistance of the MGC's Central Monitoring System (CMS), verification of software signatures for licensee compliance occurs daily.

Issuing revocations typically begins with a notification from the CITL when an issue is found with an individual piece of gaming software that denotes the severity and description of the issues. The GTCU reviews each notification to verify if the software is active in Massachusetts. A letter is sent to each property, including software information, removal date and, if any, the affected EGDs. During the last fiscal year, the GTCU issued 12 revocations based on recommendations from the CITLs. Below is a breakdown of the software approved by manufacturers for FY2021.

FY2021 APPROVED SOFTWARE

The GTCU is also responsible for evaluating, inspecting and investigating EGDs and associated equipment in Massachusetts. Integration and interoperability testing are essential to ensure the EGDs communicate effectively with the MGC's CMS and the licensees' house systems. GTCU supports and achieves MGC's reporting, compliance and alerting expectations through systematic testing. Additionally, specific EGD hardware/cabinets are tested based on licensees' requests due to the popularity of a particular game or theme.

The following chart highlights the variety of approved manufacturers' equipment at each licensed casino in the Massachusetts jurisdiction.

The GTCU also assists the Research and Responsible Gaming Division to test technical, reporting and user interface requirements for the Responsible Gaming program, *PlayMyWay*. The *PlayMyWay* platform for MGM Springfield ("MGM") is slated for implementation in early 2022 and Encore Boston Harbor (EBH) in September 2022. Continuous assessments and testing of *PlayMyWay* at Plainridge Park Casino are conducted to ensure compliance with all applicable requirements. GTCU assisted with designing, developing and implementing a new web application for the MGC Voluntary Self-Exclusion program (VSE) slated for a January 2022 launch. The GTCU also assisted the Community Mitigation team with developing the new Community Mitigation Fund (CMF) web application. Both VSE and CMF were run through rigorous security testing by an authorized third-party vendor before production.

The GTCU continues to support and assist the Finance division. Last year, the team implemented and tested an updated End-of-Day report for EBH. The GTCU assisted with 12-month meter reviews for EBH and MGM. The Intelligen application and a database management tool were made available to the Finance team to better integrate with CMS to provide convenience and ease of reporting.

The GTCU supports the Investigations and Enforcement Bureau by submitting monthly reports and configuring alerts on the CMS to discover malicious activities. Custom reports are provided to assist with the investigations of EGD incidents or malfunctions. The GTCU continued to provide out-of-service reports to assist with social distancing measures until May 29, 2021, when the Commission removed COVID-19 restrictions. The GTCU also decommissioned the legacy Citrix environment by providing direct and remote access to the gaming agents of the Intelligen application.

INVESTIGATIONS & ENFORCEMENT BUREAU

IEB Overview

The Investigations and Enforcement Bureau (IEB) is comprised of five divisions: the Division of Licensing, the Gaming Enforcement Unit, the Gaming Agents Division, the Financial Investigations Division, and the Office of the Chief Enforcement Counsel.

The Division of Licensing administers the licensing and registration functions on behalf of the Commission for employees of and vendors to the Commonwealth's three licensed casinos.

The Gaming Enforcement Unit (GEU) is comprised of sworn officers of the Massachusetts State Police and sworn officers from the host community where each licensed casino is located. The GEU has a 24/7 presence at all three casinos and has regulatory as well as criminal enforcement responsibilities. State Police members of the GEU also are assigned to conduct background reviews for suitability purposes for vendors to the casinos, casino employees and casino qualifiers. In addition, they perform reviews and monitoring to ensure the ongoing suitability of the casinos and their parent companies.

The Gaming Agents Division is comprised of civilian agents who provide regulatory oversight and on-site monitoring of all three licensed gaming establishments and their on-site vendors to ensure compliance with regulatory requirements and casino internal controls. In FY21, the IEB's Gaming Agents Division conducted hundreds of regulatory examinations to test casino internal controls and procedures at each facility to ensure compliance with MGC regulations. The reviews performed by gaming agents include slot machine moves and inspections, operational audits, compliance reports, patron complaints, machine jackpots over certain thresholds, and responding to information submitted by patrons to the Fair Deal tip line.

The Financial Investigation Division is comprised of civilian financial investigators who perform background reviews for financial stability and financial integrity of vendors to the casinos, high level casino employees, and casino qualifiers. The Financial Investigations Division also conducts routine monitoring of financial performance at the casinos and at the parent company levels to assess ongoing financial suitability.

The Office of the Chief Enforcement Counsel is the legal arm of the Bureau. It consists of the Chief Enforcement Counsel and Senior Enforcement Counsel, whose duties include legal review of investigations and representing the Bureau in licensing and enforcement actions initiated by the Bureau.

The Bureau conducts probity investigations to determine suitability for licensure and registration of all gaming establishment employees and vendors, per licensing regulations (205 CMR 134.00), which also define thresholds, standards and procedures for licensing and registration. There are three levels of employee licensure: Key Gaming Employee – Executive, Key Gaming Employee – Standard, and Gaming Employee. All three levels of licensure require a background check before employment may commence at a gaming establishment.

Some employees not classified by regulation as either Key Gaming or Gaming Employees must register as Gaming Service Employees, unless their job position is exempted from the registration requirements by the Commission. Background checks for Gaming Service Employees may commence after employment begins. The depth of the background check is commensurate with the level of licensure or registration.

FY21 IEB Update

In FY21, the IEB and Division of Licensing processed and completed background investigations for 727 applications for individual employee licensure or registration.

The IEB and the Division of Licensing also received and processed two new Gaming Vendor applications and completed ongoing investigations for and issued full licenses to 16 Gaming Vendors, which included 34 entity qualifiers and 45 individual qualifiers.

Additionally, the IEB and the Division of Licensing processed and conducted background investigations for 276 applications for non-gaming vendor registration and 21 individual casino qualifiers.

IEB COVID-19 Recap

The IEB has been extensively involved in the closure, reopening and assurance of safety protocols during the pandemic. In early July of 2020, the three licensed gaming establishments reopened after a period of suspended operations due to COVID-19. They did so subject to Re-opening Standards adopted by the Commission with the cooperation and input from the licensees. The Standards were informed by research conducted by IEB staff members, including by members of the Gaming Agents Division as to best practices across the country, and with the assistance of the Executive Office of Health and Human Services and the Office of the Governor. IEB staff also stayed current with the evolving advice of local boards of Public Health and national public health experts.

Throughout the year, the Commission adopted eight editions of Standards to reflect the evolving safety needs. The Standards focused on both "front of the house" patron-facing health and safety measures, as well as "back of the house" measures to ensure the safety of employees. The detailed Standards adopted covered pre-opening cleaning; compliance with public health guidance; physical and social distancing; hygiene, cleaning and sanitation protocols; and monitoring of occupancy levels. Central to the Standards has been a Communication Plan for each property using its website and social media platforms so that patrons are informed about what to expect before they even arrive. Also, the Commission required that each property designate a "Pandemic Safety Officer," a Key-level employee to act as a liaison to federal, state and local public health agencies and to work in conjunction with the Compliance Department and the IEB on COVID-related health and safety matters.

The Licensing Division worked to ensure that the licenses and registrations of furloughed employees remained valid so that the licensing process would not be a barrier when furloughed employees were recalled to their casino jobs.

The planning also included as a component coordination and consultation between the IEB and representatives from the Board of Health in each of the host communities.

Initially, the properties reopened with modified hours of operation, but later resumed 24/7 operations. A general easing of COVID restrictions occurred in May of 2021, consistent with the Governor's orders lifting restrictions across all industries in the Commonwealth. Amenities at each of the properties reopened on an incremental basis, consistent with safety guidelines and in the face of staffing challenges. When the properties first reopened, the games of craps, roulette and poker were not allowed due to challenges involved in conducting those games under the COVID-related protocols. In October of 2021, however, these games were re-introduced onto the gaming floors of the two resort casinos. Throughout the duration, the members of the IEB continued to ensure that operations remained compliant, and the continuing efforts of the IEB contributed to the safe and sustained reopening of the gaming establishments.

RACING OPERATIONS

MGC is also responsible for the operational and fiscal oversight of the Standardbred racing operation, and pari-mutuel and simulcasting facilities in the Commonwealth (under G.L. c 128A & 128C).

Live Racing and Simulcasting at Plainridge Park Casino

Standardbred Racing

With COVID-19 protocols in place, live racing was able to open on schedule in April. There were 110 days of live racing during calendar year 2021. The Racing Division issued over 1,100 occupational licenses.

The 2021 harness racing season saw the revivals of the $250,000 Spirit of Massachusetts Trot, and the $100,000 Clara Barton Pace. Approximately $800,000 was distributed as purses in the finals of the races for Massachusetts bred horses, known as the Sire Stakes.

For the upcoming 2022 calendar year, Plainridge is planning on 110 days of racing.

Thoroughbred Racing

There was no live Thoroughbred racing in Massachusetts in FY21. Several groups have expressed interest in returning Thoroughbred racing to the Commonwealth.

Simulcasting

Simulcasting and account wagering is conducted year-round at the following facilities:

- Plainridge Park Casino, including Hollywood Races
- Raynham Park
- Suffolk Downs, including Twin Spires, TVG, 1/ST Bet (Xpressbets), NYRA Bets, FanDual Racing, Wonderland

For FY21, total pari-mutuel handle in the Commonwealth reached $298 million (34.84% increase from the prior year).

During the fiscal year, the Division of Racing continued safety measures to operate under the COVID-19 guidelines issued by the Governor and public health officials. In addition, the Racing Division continued efforts to enhance the safety and welfare of racing participants as well as monitor and regulate the racing operations in the Commonwealth. Key activities included virtual participation in Association of Racing Commissioners Association International (ARCI) meetings, continuing education, and Racing Officials Accreditation Program training.

Disbursements Out of the Race Horse Development Fund

During FY21, the Commission made disbursements in accordance with c. 23K and the recommendations for the split (between Standardbred and Thoroughbred horsemen) of the statutory Horse Racing Committee. The distributions out of the Race Horse Development Fund were as follows:

FY21 marked the seventh year that the Race Horse Development Fund had monies available to supplement purses, and accordingly the Commission approved disbursements for the prescribed purposes in the manner recommended by the Horse Racing Committee in accordance with G.L. c. 23K, §60.

HIGHLIGHT ★

Entity		Amount	Statutory Purpose
Harness Horsemen's Association	$	279,116	Health & Welfare of Harness Horsemen
Massachusetts Thoroughbred Breeders Assn	$	727,407	Thoroughbred Breeders Program
New England Horsemen's Benevolent	$	335,824	Health & Welfare Thoroughbred Horsemen
Plainville Gaming and Redevelopment LLC	$	9,110,453	Standardbred Live Racing Purses
Standardbred Owners of Massachusetts	$	1,722,158	Standardbred Breeders Program
Grand Total	**$**	**12,174,958**	

FY21 RESEARCH FINDINGS HIGHLIGHTS

Participation in sports wagering is considered one of the strongest predictive variables for concurrent and future problem gambling, including difficulty in limiting money and/or time spent on gambling. *(MAGIC study)*

Gambling behaviors were found to be unstable between four groups: Non-Gambler, Recreational, At-Risk, and Problem Gambler. That provides opportunities to influence gamblers at different points of their gambling journey through prevention, treatment and policies to support player health. *(MAGIC study)*

Most Massachusetts players scored medium or low on gambling literacy, or the level to which a player has an accurate understanding of the nature of gambling. *(Positive Play study)*

RESEARCH AND RESPONSIBLE GAMING

The Office of Research and Responsible Gaming leads MGC's efforts to mitigate gambling-related harm through the development and implementation of casino-based responsible gaming programs. In addition, this office directs the implementation of a comprehensive gaming research program as mandated by Section 71 of Chapter 23k.

MGC and the Department of Public Health set an annual budget for expenditures from the Public Health Trust Fund, which includes funding for the annual gaming research program. For FY21, the Public Health Trust Fund directed approximately $10 million to gaming research, responsible gaming and problem gambling prevention and treatment programs.

Research Studies and Activities

The Massachusetts Gaming Commission (MGC) has supported a wide range of gambling-related research projects in the area of public safety, community-engaged research, economics, social impacts and responsible gaming program evaluations, of which 13 were released in FY21; adding up to more than 50 reports since 2014. Of importance during FY21, the Massachusetts Gambling Impact Cohort (MAGIC), the first adult longitudinal cohort study of gambling and problem gambling in the U.S., completed its fifth and final wave of surveys, releasing the report this fiscal year. As the volume of MGC research continues to grow, so does the importance of translation and dissemination. Toward the end of FY21, the Commission prioritized mobilizing research and began creating summary reports of key research findings and recommendations.

MGC White Paper: Key Principles for Sports Wagering Policy and Practice

Released June 16, 2021

The Massachusetts Gaming Commission's Office of Research and Responsible Gaming released a white paper outlining responsible gaming principles for sports wagering policy and practice. The paper provides an overview of guiding principles, strategies and measures of MGC's Responsible Gaming Framework and how it relates to policy considerations for sports betting legislation.

Download the White Paper >

Massachusetts Gambling Impact Cohort Study: Six-Year Longitudinal Study of Gambling and Problem Gambling in Massachusetts

Released April 16, 2021

The Massachusetts Gambling Impact Cohort (MAGIC) is a study of gambling and problem gambling conducted in Massachusetts from September 2013 to September 2019. Researchers recruited a statewide sample of 3,139 adults, 18 and older, with the sample over-selected for individuals at higher risk of future problem gambling. The cohort was assessed five times over a six-year period. The assessment collected information on gambling-related behavior, attitudes, motivations, context, fallacies, problem gambling, physical health, mental health, substance use and abuse, social functioning, personality, and demographics.

Download the Report >
Download the Presentation >
Download the Executive Summary >
Download the One Pager >

Assessing the Influence of Gambling on Public Safety in Massachusetts Cities and Towns: Analysis of Changes in Police Data Following 18 Months of Activity at MGM Springfield

Released March 25, 2021

This report covers changes in crime statistics for the surrounding cities and towns during the 18 months after the opening of MGM Springfield with a particular focus on the six months between September 2019 and February 2020. The report shows that only a few crimes increased in surrounding areas during this period. While some of these increases have possible links to MGM Springfield, there is no general consistency across the surrounding agencies and very little definitive proof of a casino connection among specific offenders.

Download the Report >
Download the Presentation >

Assessing the Influence of Gambling on Public Safety in Massachusetts Cities and Towns: Analysis of the Influence of Encore Boston Harbor on Its Surrounding Community Covering July 2019-October 2020

Released March 25, 2021

The primary purpose of this report was to conduct an analysis of the increases and decreases in activity in the communities surrounding Encore Boston Harbor since its opening, to alert participating agencies to increasing trends, and to triage patterns for more detailed analysis in later reports.

Download the Report >
Download the Presentation >

Aging Near a "Hometown" Casino: The Impact of Plainridge Park Casino on Older Adults in the Region

Released March 16, 2021

This study aims to describe the impact of Plainridge Park Casino (PPC) on older residents and aging services in the surrounding community. While older adults comprise a substantial and growing demographic of casino patrons, it is not clear how having a casino in the community affects the aging experience. This project aims to contribute to the current knowledge by gathering perspectives from senior center directors in the community, responsible gambling advisors located in the casino, and older residents themselves to understand a casino's impact on older adults and their community.

Download the Report >

Positive Play: Measuring Responsible Gaming in Massachusetts

Released January 28, 2021

This report summarizes findings of a study exploring the extent of positive play among Massachusetts players to define specific areas where positive play could be further supported and to identify the extent of positive play among different player segments, in addition to developing a better understanding of gambling during a pandemic lockdown and how players might be supported during such times.

Download the Report >

MGM Springfield First Year of Operation: Economic Impacts Report

Released January 28, 2021

The purpose of this report is to estimate the full economic impact of MGM Springfield on the economy during its first year of operation. The UMass Donahue Institute's Economics and Public Policy Research unit (UMDI) assessed two key areas creating operational effects: casino operations (spending on vendors, employees and government entities) and patron spending (spending within the casino, as well as in Springfield and the surrounding region).

Download the Report >

Impact of MGM Springfield on Gambling Attitudes, Participation, and Problem Gambling

Released November 30, 2020

This report focuses on findings from baseline and follow-up targeted population surveys carried out in Springfield and surrounding communities. The baseline targeted survey was conducted in 2015, soon after the announcement of the award of license to MGM Resorts International. The follow-up targeted survey was conducted in 2019 one year after MGM Springfield's June 2018 opening. Findings from these surveys describe changes in attitudes toward gambling, gambling behavior, the prevalence of problem gambling, and awareness of and involvement in problem gambling services in the wake of the introduction of a major gambling venue.

Download the Report >
Download the Executive Summary >

The Construction of Encore Boston Harbor: Spending, Employment, and Economic Impacts

Released November 17, 2020

This report seeks to inform stakeholders about the construction of Encore Boston Harbor and its economic impacts in the Commonwealth. Over the course of the casino's construction, UMDI worked with the Commission and the project's construction managers at Suffolk Construction Company to obtain data on the spending, employment and wages related to the construction of the casino. These data are summarized here along with an estimate of the total economic impacts to the Commonwealth of Massachusetts resulting from the casino construction.

Download the Report >
Download the Presentation >
Download the Press Release >

New Employee Survey at MGM Springfield: March 2018 Through December 2019

Released October 26, 2020

This report captures on-boarding of new employees from March 2018 to December 2019. The data from this report highlight reasons for seeking employment at MGM, employment status prior to joining the MGM team and the geographic residence of employees.

Download the Report >
Download the Presentation >
Download the Executive Summary >

Patron and License Plate Survey Report: MGM Springfield 2019

Released October 15, 2020

This report presents the results of the first patron survey at MGM Springfield. This and future patron surveys are 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 ascertain the influx of new revenues to the venue and the Commonwealth and 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.

Download the Report >
Download the Executive Summary >
Download the Fact Sheet: 2019 MGM Springfield Patron Survey >

Responsible Gaming Initiatives

Since its inception, the MGC has developed, implemented, refined and adapted its responsible gaming strategy in order to respond to patron needs. Responsible gaming is a key priority of the MGC; to maximize the economic benefits of expanded gaming while minimizing the potentially negative and unintended consequence. Responsible gaming programs are operational at all three licensee properties and include the following:

The Voluntary Self-Exclusion (VSE) Program assists patrons who recognize that they have experienced a loss of control over their gambling and wish to invoke external controls. People enroll in the program for 1, 3 or 5-year terms and are prohibited from entering the gaming floor at all Massachusetts casinos. If they do, any gambling winnings are confiscated and transferred to the Gaming Revenue Fund. The MGC's VSE process utilizes an engaged approach, ensuring that the enrollee obtain the assistance needed, is responded to in a respectful, timely and discreet manner, and feels supported. After casinos reopened in July 2020 following COVID closures, MGC adapted its process to allow patrons to enroll anywhere using a computer or mobile device with email access and video capabilities. Since the introduction of remote VSE in December 2020, 21 people have enrolled remotely. As of June 30, 2021, more than 1,100 people have enrolled in the program, including 225 who have removed themselves from the list at the conclusion of their term.

GameSense is an innovative responsible gaming program based at Massachusetts casinos with a goal of promoting positive play behaviors and attitudes that reduce the risk of gambling-related harm. In furtherance of the statute, which calls for an on-site player protection program, the MGC licensed the GameSense brand from the British Columbia Lottery Corporation in 2015 and drew upon the experience of the Massachusetts Council on Gaming and Health staff to operate the program at all three licensee properties.

GameSense Advisors engage with casino patrons to promote informed player choice. Most people who visit Massachusetts casinos engage in gambling behavior that is nonproblematic, also known as positive play. GameSense Advisors staff the GameSense Info Center on the casino floor through innovative games, quizzes and other demonstrations meant to debunk gambling myths and misconceptions, and educate players on how games, odds and probabilities work. The GameSense program immediately resumed operations, following COVID safety guidelines, after the reopenings in July 2020. Between July 2020 and June 2021, GameSense Advisors recorded 32,308 conversations pertaining to responsible gaming and problem gambling with 34,161 casino patrons and employees.

GameSense Advisors also engage groups at greater risk of gambling harm in the community to promote informed player choice before they visit the casino. Due to COVID-19, GameSense Advisors adapted activities to virtual and online educational presentations. In FY21, GameSense Advisors led 33 presentations to the community on-site and virtually.

As required by statute, GameSense Advisors provide training to casino employees to further the goal of to promoting responsible gaming and mitigating problem gambling. In partnership with the three casino licensees, GameSense Advisors provided new-hire orientation and advanced responsible gaming trainings to 412 casino employees in FY21 to aide them in supporting patrons in need of assistance.

In March 2021, 24-hour LiveChat was launched on GameSenseMA.com and MACGH.org. The LiveChat is the first 24-hour Responsible Gaming online chat project in the U.S. with live agents (GameSense or MACGH) trained to address the rules of the games, problem gambling services, VSE enrollment and professional development opportunities for clinicians.

PlayMyWay (PMW) is a first-of-its-kind budgeting tool designed to allow players the ability to monitor the amount of money they spend on electronic gaming machines. PMW is currently available at Plainridge Park Casino. Once enrolled, a player receives automatic notifications when approaching 50%, 75%, and 100% of their daily, weekly or monthly budget. Players can choose to stop at any point or keep playing. Players can enroll, adjust their budget or un-enroll in PlayMyWay at any time. By the end of FY21, there were 23,087 players actively enrolled in the program with an average un-enrollment rate of 14.5%. Technical issues have delayed the launch of PMW at MGM and Encore Boston Harbor from FY21 to FY22.

LITIGATION MATTERS

CITY OF BOSTON/REVERE/MOHEGAN SUN ET AL. V. MGC

Various municipalities and groups have filed suit contesting certain aspects of the Gaming Commission's issuance of the Region A category 1 gaming license. Some of these claims have been dismissed, either voluntarily or by order of the Massachusetts Superior Court. The Gaming Commission is currently defending the remaining intervenor claim filed by Mohegan Sun. That claim was argued before the Massachusetts Supreme Judicial Court in November 2016. On March 10, 2017, the Supreme Judicial Court issued a decision affirming Mohegan Sun's intervenor claim and remanding the case to the Superior Court for further proceedings. Briefing on Mohegan Sun's intervenor claim was completed in January 2018. Since the completion of the briefing on Mohegan Sun's intervenor claim, Mohegan Sun has filed a motion to amend its complaint. The Gaming Commission opposed this motion, and, on July 16, 2018, the Superior Court allowed Mohegan Sun's motion in part and denied it in part, thus granting Mohegan Sun the right to add additional information to its existing complaint. Argument on Mohegan Sun's motion for judgment was heard on September 21, 2021. The matter remains ongoing.

FBT V. MGC

On November 14, 2016, the Gaming Commission was sued by FBT Everett Realty, LLC for tortious interference with respect to the plaintiff's agreement to sell property to Wynn Resorts for the Region A category 1 facility in Everett. The plaintiff is requesting damages as determined at trial. On May 14, 2018, the Superior Court granted the Gaming Commission's motion to dismiss on two of three claims then remaining. On July 5, 2018, the Gaming Commission filed a third-party complaint against the Region A category 1 licensee for unjust enrichment and indemnification relating to the remaining claim against the Gaming Commission. The Region A licensee filed a motion to dismiss the complaint. On January 2, 2020, the court issued a decision effectively denying the motion to dismiss. On February 12, 2021, the Commission filed a motion for summary judgment. On June 16, 2021, the Court granted the Gaming Commission's motion for summary judgment and dismissed the case. The Court also dismissed the Gaming Commission's third-party claims against the Region A category 1 licensee. The plaintiff has appealed the Court's decisions and was granted direct appellate review by the Supreme Judicial Court. The matter was briefed by the parties and oral argument was held before the Supreme Judicial Court on February 4, 2022; a decision is forthcoming.

LITTLEFIELD *ET AL.* V. UNITED STATES DEPARTMENT OF THE INTERIOR, 199 F.SUPP.3D 391 (2016), U.S DISTRICT COURT, MASSACHUSETTS

LITTLEFIELD *ET AL.* V. MASHPEE WAMPANOAG INDIAN TRIBE, U.S. COURT OF APPEALS FOR THE FIRST CIRCUIT

MASHPEE WAMPANOAG TRIBE V. BERNHARDT, U.S. DISTRICT COURT, DISTRICT OF COLUMBIA (COLLYER, J.)

MGC is not a party to these legal challenges, but as an interested observer, and as directed by G.L. c.23K, §67, the MGC will continue to monitor the developments and status of the Mashpee Wampanoag Tribe ("Mashpee Wampanoag" or "Tribe") and their pursuit of federal recognition and to take land into trust for tribal economic development.

In March 2016, the Mashpee Wampanoag tribe announced that it would commence construction of a tribal resort casino in the third region (Region C), based upon the assumed power of the U.S. Secretary of the Interior to take land into trust for the tribe. On July 28, 2016, in the case of *Littlefield v. the U.S. Department of the Interior,* the U.S. District Court held that the Secretary of the Interior lacked the authority to take land into trust for the Mashpee Wampanoag tribe and remanded the matter back to the Secretary of the Interior for further proceedings consistent with the opinion as well as the declaratory judgment entered. The Mashpee Wampanoag filed a motion to intervene, which was granted. In December 2016, the Mashpee Wampanoag filed a notice of appeal to the U.S. Court of Appeals for the First Circuit. On September 7, 2018, the Department of the Interior issued a revised land-in-trust decision concluding that the Mashpee Wampanoag did not meet the statutory requirements to have land taken into trust. The Mashpee Wampanoag filed an appeal of the September 2018 decision in the U.S. District Court for the District of Columbia. On February 27, 2020, the U.S. Court of Appeals for the First Circuit issued a decision affirming the District Court decision that the Secretary lacked the authority to take land into trust for the benefit of the Tribe. On March 27, 2020, the Secretary issued a directive to the Director of the Bureau of Indian Affairs to rescind the decision accepting land into trust on behalf of the Tribe, to revoke the reservation proclamation, and to issue a clarification that such actions annul the previous determination that such lands are eligible for gaming under the Indian Gaming Regulatory Act. On June 5, 2020, the U.S. District Court for the District of Columbia issued a decision finding the Secretary of the Interior's September 2018

decision to be arbitrary, capricious and an abuse of discretion and remanded the matter to the Secretary to determine whether certain standards governing the determination of tribal and land status were properly applied. On the same day, the U.S. District Court for the District of Columbia issued an order prohibiting the Department of the Interior from taking any steps to alter the *status quo ante* with respect to the land in Mashpee and Taunton that was taken into trust for the benefit of the tribe. In August 2020, the Department of the Interior and intervenor-defendants filed notices of appeal to the U.S. Court of Appeals for the District of Columbia Circuit. On February 19, 2021, the Department of the Interior and intervenor-defendants moved to voluntarily dismiss their appeals, the motions were granted, and the appeals were dismissed. On December 22, 2021, the Department of the Interior issued a new decision finding 1) that statutory authority for acquiring the land in question exists under Section 5 of the Indian Reorganization Act, 2) the 2015 decision to acquire such land in trust should be affirmed (with modifications), 3) the land is eligible for gaming under the Indian Gaming Regulatory Act, and 4) the Department of the Interior will retain the land in trust as the Tribe's reservation.

Separately, in January 2019, Representative William Keating introduced a bill in the U.S. House of Representatives (H.R. 312) titled the "Mashpee Wampanoag Tribe Reservation Reaffirmation Act." The bill would reaffirm the Tribe's trust land, ratify, and confirm the Secretary's actions in taking the land into trust, preclude filing of further matters, and dismiss pending federal litigation concerning this matter. The bill passed in the U.S. House on May 15, 2019 (275-146). The bill was received in the U.S. Senate and placed on the Legislative Calendar on May 20, 2019. No further activity was reported in the 116th United States Congress and the bill has not been reintroduced in the current 117th United States Congress. The Gaming Commission will continue to monitor this matter.

COMMONWEALTH OF MASSACHUSETTS, ET AL V. THE WAMPANOAG TRIBE OF GAY HEAD (AQUINNAH), ET AL

The case originated in 2015 on a complaint by the Commonwealth, joined by a local Martha's Vineyard community organization and the Town of Aquinnah (collectively, the "Commonwealth Plaintiffs"), to block the Aquinnah Tribe's stated intention to open an electronic bingo facility on its reservation land. The Tribe had obtained approval from the National Indian Gaming Commission to do so pursuant to the federal Indian Gaming Regulatory Act (IGRA). (Under IGRA, a federally recognized Tribe may sponsor electronic bingo games – so called, "Class 2" gaming – on its lands without the approval of state authorities. For conventional casino gaming, for example in a resort with table games, state approval under IGRA is required through a formal compact process.)

The principal basis of the Commonwealth Plaintiffs' complaint was that the Aquinnah Tribe had surrendered whatever rights it otherwise would have had to conduct gaming on its tribal lands on account of the Tribe in 1987 having entered into an agreement to settle pending litigation involving the Tribe's claims to substantial portions of Martha's Vineyard. The Tribe alleged that these lands had been conveyed to non-tribal members over a period of many decades in violation of federal law restricting the transfer of Indian land to non-Indians. That settlement agreement was incorporated into a federal statute, the Indian Claims Settlement Act of 1987 (the "1987 Federal Act").

By Final Judgment dated August 19, 2019, the U.S. District Court for Massachusetts (Saylor, J.) ordered, adjudged, and decreed, in pertinent part, as follows:

> (1)(a) the Tribe may construct, occupy, and operate a gaming facility on the Settlement Lands without complying with the Gaming Laws, and (b) the Tribe's construction, occupancy, and operation of a gaming facility on the Settlement Lands shall otherwise be subject to the General Regulatory Laws;
>
> (2) The Town of Aquinnah; Charles D. Baker, in his official capacity as Governor; Maura Healey, in her official capacity as Attorney General; and Cathy Judd-Stein, in her official capacity as Chair of the Massachusetts Gaming Commission, are permanently enjoined and restrained from enforcing the Gaming Laws against the Tribe on the Settlement Lands; and
>
> (3) The Tribe is permanently enjoined and restrained from constructing, occupying, and operating a gaming facility on the Settlement Lands without complying with the General Regulatory Laws.

On September 14, 2020, the U.S. Court of Appeals for the First Circuit heard an appeal by the parties related primarily to finding number (3) above as to the applicability of the General Regulatory Laws. The matter was taken under advisement by the panel. On February 25, 2021, the First Circuit affirmed Judge Saylor's decision.

On September 8, 2021, the Tribe sent a letter to Governor Baker requesting to enter into formal gaming compact negotiations with the Commonwealth for all forms of Class III gaming, including but not limited to slot machines, banked card games and mobile sports betting.

CASINO PROPERTY AND PROJECT SUMMARIES

PLAINRIDGE PARK CASINO

PPC is the category 2 licensee in Plainville, Massachusetts. The facility also hosts the Standardbred live racing and simulcasting operations.

Conditional Award of the License	February 2014
Operations Certificate/Date Opened	June 24, 2015
Gaming Space	43,800 sq. ft.
Capital Investment Amount	$250 million
Total Employment	340 employees (as of June 30, 2021)
Tax on Gross Gaming Revenues	49%
Parking	1,575 patron spaces (1,818 total)
Slots	1,245 slots (approximately 1,320 slot gaming positions)
Table Games	N/A
Additional Amenities	2 full-service restaurants ("Flutie's Sports Bar" and "Slack's Oyster House & Grill") 4 food-court style eateries ("Smashburger" "Dunkin' Donuts" "Slice" "Grab & Game"] Live Entertainment ("Revolution Lounge"). Live harness racing April through November. Additional racing concessions/outlets.

*Data reflects property status as of June 30, 2021. Though reopenings occurred in July 2020, the casinos continued to experience limitations and challenges due to the pandemic throughout this fiscal year. **Gaming position is defined as gaming device seat or a space at a table game.

ENCORE BOSTON HARBOR

Encore Boston Harbor is a category 1 licensee for Region A in Everett, Massachusetts. The facility sits on the formerly contaminated site on the banks of the Mystic River at the site of the former Monsanto plant.

Conditional Award of the License	September 2014
Opening Date	June 23, 2019
Gaming Space	190,461 sq. ft.
Total Gross Area	3.1 million sq. ft.
Total Investment Amount	$2.6 billion
Total Employment	3,256 employees (as of June 30, 2021)
Tax on Gross Gaming Revenues	25%
Parking	2,800 spaces
Slots	2,628 slot machines (approximately 2,628 slot gaming positions)
Table Games	170 table games. Due to the pandemic, poker tables remain closed (approximately 1,124 table gaming positions)
Additional Amenities	5-star hotel (671 rooms), 77,250 sq. ft. of retail space, 11 food and beverage outlets fully operational as of June 30, 2021, 3 bars and lounges, multipurpose venue, spa/gym, convention space, extensive outdoor and waterfront space with pavilion and public harbor walk, indoor garden.

*Data reflects property status as of June 30, 2021. Though reopenings occurred in July 2020, the casinos continued to experience limitations and challenges due to the pandemic throughout this fiscal year. ** Gaming position is defined as gaming device seat or a space at a table game.

MGM SPRINGFIELD

MGM Springfield is a category 1 licensee for Region B in Springfield, Massachusetts. The facility is located on approximately 14 acres in downtown Springfield in the congregation of parcels bound by Main, State, Union, and East Columbus streets.

Conditional Award of the License	June 2014
Opening Date	August 24, 2018
Gaming Space	126,262 sq. ft.
Total Gross Area	759,157 sq. ft.
Total Investment Amount	$960 million**
Tax on Gross Gaming Revenues	25%
Parking	3,375 covered on site
Total Employment	1,034 permanent employees (as of June 30, 2021)
Slots	1,721 slots (approximately 1,519 active slot gaming positions)
Table Games	52 tables (approximately 344 active table gaming positions). Due to the pandemic, poker tables remain closed.
Additional Amenities	240 room hotel (20 rooms converted to 10 larger suites), 8 food and beverage outlets, 26,000 sq. ft. of retail space, bowling alley, cinema and 54 residential units.

*Data reflects property status as of June 30, 2021. Though reopenings occurred in July 2020, the casinos continued to experience limitations and challenges due to the pandemic throughout this fiscal year. **Does not include $60.7 million for land and $75.5 million for capitalized interest. *** Gaming position is defined as gaming device seat or a space at a table game."

EXECUTIVE STAFF
(As of March 2022)

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Executive Director

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