



MASSACHUSETTS GAMING COMMISSION  
PUBLIC MEETING# 332

January 14, 2021  
10:00 a.m.

**VIA CONFERENCE CALL NUMBER: 1-646-741-5292**  
**PARTICIPANT CODE: 112 136 4432**



Massachusetts Gaming Commission



**NOTICE OF MEETING and AGENDA  
January 14, 2021**

**PLEASE NOTE:** Given the unprecedented circumstances resulting from the global Coronavirus pandemic, Governor Charles Baker issued an order to provide limited relief from certain provisions of the Open Meeting Law to protect the health and safety of individuals interested in attending public meetings. In keeping with the guidance provided, the Commission will conduct a public meeting utilizing remote collaboration technology. If there is any technical problem with our remote connection, an alternative conference line will be noticed immediately on our website: [MassGaming.com](http://MassGaming.com).

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

**Thursday, January 14, 2021  
10:00 a.m.**

**Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
PARTICIPANT CODE: 112 136 4432**

All documents and presentations related to this agenda will be available for your review on the morning of January 14, 2021 by [clicking here](#).

**PUBLIC MEETING - #332**

1. Call to order
2. Approval of Minutes
  - a. September 10, 2020
  - b. September 24, 2020
  - c. December 3, 2020
3. Administrative Update – Karen Wells, Executive Director
  - a. Presentation of recommendation for MGC Deputy Director, Investigations and Enforcement Bureau Director – Chair Cathy Judd-Stein; Karen Wells, Executive Director **VOTE**
  - b. On-site Casino Updates – Loretta Lillios, Interim Director of IEB/Chief Enforcement Counsel/Deputy Director; Bruce Band, Assistant Director, Gaming Agents Division Chief



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4. Legislative Updates – Todd Grossman, General Counsel; Jill Griffin, Director of Workforce, Supplier and Diversity Development; Crystal Howard, Program Coordinator
5. Research and Responsible Gaming – Mark Vander Linden, Director of Research and Responsible Gaming
  - a. Encore Request to Delay Play My Way- Mark Vander Linden, Director of Research and Responsible Gaming; Katrina Jagroop-Gomes, Chief Information Officer; Jacqui Krum, Encore Boston Harbor Sen. Vice President and General Counsel **VOTE**
  - b. GameSense Quarterly Update – Mark Vander Linden, Director of Research and Responsible Gaming; Teresa Fiore, Program Manager of Research and Responsible Gaming
6. Investigations and Enforcement Bureau – Loretta Lillios, Interim Director of IEB, Chief Enforcement Counsel/Deputy Director
  - a. Encore Boston Harbor Entity Qualifier – Determination of Suitability -Kate Hartigan, Senior Enforcement Counsel **VOTE**
  - b. MGM Springfield Individual Qualifier – Determination of Suitability – Kate Hartigan, Senior Enforcement Counsel **VOTE**
7. Racing Division – Dr. Alex Lightbown, Director of Racing  
Quarterly Local Aid Payments – Chad Bourque, Financial Analyst **VOTE**
8. Commissioner Updates
  - a. Review Evaluation Form and Process for Executive Director – Commissioner Eileen O’Brien **VOTE**
  - b. Recommendation for MGC Secretary Appointment, Chair Cathy Judd-Stein; **VOTE**
  - c. Recommendation for MGC Community Mitigation Sub-Committee Chair Appointment, Chair Cathy Judd-Stein **VOTE**
9. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting.

**LUNCH**

10. Executive Session
  - a. The Commission anticipates that it will meet in executive session in accordance with G.L. c.30A, §21(a)(3) to discuss strategy with respect to *FBT Everett Realty*,



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*LLC v. MGC v. Wynn MA, LLC* as discussion at an open meeting may have a detrimental effect on the litigating position of the Commission. The public session of the Commission meeting will not reconvene at the conclusion of the executive session.

- b. The Commission anticipates that it will meet in executive session in accordance with G.L. c.30A, §21(a)(3) to discuss strategy with respect to *MGC v. Landmark American Insurance* as discussion at an open meeting may have a detrimental effect on the litigating position of the Commission. The public session of the Commission meeting will not reconvene at the conclusion of the executive session.
- c. The Commission anticipates that it will meet in executive session in accordance with G.L. c.30A, §21(a)(3) to discuss strategy with respect to *City of Revere, and Mohegan Sun Massachusetts, LLC v. Massachusetts Gaming Commission* as discussion at an open meeting may have a detrimental effect on the litigating position of the Commission. The public session of the Commission meeting will not reconvene at the conclusion of the executive session.
- d. The Commission anticipates that it will meet in executive session in accordance with G.L. c.30A, §21(a)(3) to discuss strategy with respect to *DeCosmo v. Blue Tarp reDevelopment, LLC, et al., and Schuster v. Encore Boston Harbor, et al.,* as discussion at an open meeting may have a detrimental effect on the litigating position of the Commission. The public session of the Commission meeting will not reconvene at the conclusion of the executive session.
- e. The Commission anticipates that it will meet in executive session to review minutes from previous executive sessions.

I certify that on this date, 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), [melissa.andrade@state.ma.us](mailto:melissa.andrade@state.ma.us).

January 12, 2021

*Cathy Judd-Stein*, Chair

**Date Posted to Website:** January 12, 2021 at 10:00 a.m.



Massachusetts Gaming Commission



## Massachusetts Gaming Commission Meeting Minutes

**Date/Time:** September 10, 2020 – 10:00 a.m.

**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
MEETING ID: 112 888 5078

**Present:** Chair Cathy Judd-Stein  
Commissioner Gayle Cameron  
Commissioner Enrique Zuniga  
Commissioner Bruce Stebbins  
Commissioner Eileen O'Brien

**Given the unprecedented circumstances, Governor Charles Baker issued an order to provide limited relief from certain provisions of the Open Meeting Law to protect the health and safety of the public and individuals interested in attending public meetings during the global Coronavirus pandemic. In keeping with the guidance provided, the Commission conducted this public meeting utilizing remote collaboration technology.**

### Call to Order

10:00 a.m. Chair Cathy Judd-Stein called to order public meeting #319 of the Massachusetts Gaming Commission (Commission).

*The Chair confirmed a quorum for the meeting with a Roll Call. The following commissioners were present:*

*Commissioner Cameron  
Commissioner O'Brien  
Commissioner Zuniga  
Commissioner Stebbins  
Chair Judd-Stein*

### Approval of Meeting Minutes

10:01 a.m. *Commissioner Stebbins moved to approve the minutes from the Commission meeting of July 2, 2020, subject to correction for typographical errors and other*

*nonmaterial matters. Commissioner O'Brien suggested edits. Commissioner Cameron seconded the motion with the edits.*

*Roll Call Vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Commissioner Stebbins: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

## **Administrative Update**

10:03 a.m. Interim Executive Director Karen Wells announced the retirement of Finance and Budget Office Manager Agnes Beaulieu after 37 years of service to the Commonwealth. Ms. Beaulieu thanked Ms. Wells and the rest of the Commission for her experience and stated that she has enjoyed her time at the Commission. The Commissioners thanked her for all of her contributions.

10:12 a.m. Ms. Wells commented on the search process for a number of open positions including a new Finance and Budget Office Manager. Ms. Wells mentioned Director Griffin's involvement to increase the pool of candidates for the Licensing Division Chief. The legal division is working on a new attorney posting.

### **Casino Updates**

Bruce Band, Assistant Director/Gaming Agents Division Chief, updated the Commission relative to evictions and incidents over the weekend at the casinos. There was one safety call at Encore, which prompted additional security measures being taken. He added that there were no issues at PPC and MGM Springfield and that MGM's hotel remains open via invite only.

10:15 a.m. Mr. Band indicated that people are mostly compliant with mask wearing requirements, and any issues are addressed immediately.

### **Racing Update**

10:18 a.m. Dr. Alex Lightbown, Director of Racing, updated the Commission on the drive-through Kentucky Derby betting at PPC and stated that the operations went smoothly.

*Dr. Lightbown lost connection to the meeting. The Chair moved ahead with the next agenda item.*

## **Workforce, Supplier and Diversity Development**

10:20 a.m. **Encore Boston Harbor Construction Diversity Close-Out**

Jill Griffin, Director of Workforce, Supplier and Diversity Development; Jacqui Krum, Jennie Peterson, Encore Boston Harbor; Shelley Webster, In Order Solutions; and Emily Earl, Suffolk Construction presented the Encore Boston Harbor Construction Diversity Close-Out to the Commission.

Ms. Krum provided a final report on goals and accomplishments in the minority, women, and veteran workforce as well as goals and results for minority, women and veteran owned businesses. She introduced Jenny Peterson, who played a significant role in the effort for Encore, as well as Emily Earle, project controls manager for Suffolk construction, and Shelly Webster, previously with Suffolk Construction.

10:25 a.m. Ms. Peterson discussed participation goals and explained the events that were held for women minority and veteran businesses and related groups. She highlighted the events at which Broco Oil attended and made efforts to meet all of the key contacts. Ms. Earle stated that the owner has expanded his business and was able to partner with Suffolk subcontractors thus growing exponentially as a result of his relationship with Encore.

10:30 a.m. Ms. Krum reported on the Construction Workforce status, including the categories of people who worked on the construction project. All goals for workforce participation were met.

10:33 a.m. Ms. Peterson reported on the Massachusetts Girls in Trade program. She described the challenges of procuring women for this construction project and the program she created to help train recent construction trade graduates. She described the success of the program.

Ms. Krum noted the challenge of maintaining the numbers of women, minorities, and veterans toward the project's end. Ms. Webster explained how they managed to keep these groups employed by providing training for them to stay on. She noted the commitment that was exemplified throughout by the subcontractors and everyone.

10:41 a.m. **Access and Opportunity Committee Recognition**

Ms. Griffin noted the participation of several AOC members including Liz Skidmore, North Atlantic States Regional Council of Carpenters; Savy Man-Doherty, E. M. Duggan Inc./Pipefitter Local 537; Brooke Woodson, Suffolk Construction presented the Access and Opportunity Committee Recognition information to the Commission.

Ms. Griffin discussed the comprehensive daily compliance checks. She then acknowledged each individual who worked on the Access and Opportunity Committee, the cornerstone of the diversity and compliance strategy.

10:47 a.m. Ms. Man-Doherty thanked the Commission for launching the Build a Life That Works campaign. She stated that the billboards helped make tradeswomen

Tuesday a big success. The program was a great connector with other tradeswomen.

10:52 a.m. Ms. Skidmore reported on the success of this initiative and noted that 7.2% of women in Massachusetts is very significant. She highlighted the history of access and opportunity committees and how the effort has expanded to over thirty projects. She talked about the development of best practices on the committee. Key lessons learned were documented in the MGC report as well as an ongoing document called "Finishing the Job."

Three best practices identified include: 1. Corrective action meetings to make sure women were offered overtime, 2. High Impact Performer analysis, and 3. Award system designed by Encore, which had a much more significant impact than expected.

Notably, she stated that there were 491 women on the job, and that number is the most in the United States' history. Lastly, she thanked the Commission for supporting this work.

11:02 a.m. Next, Mr. Woodson stated that the averages for women, minorities, and veterans are always higher when a committee like this is part of the project. He noted that the data collected was shared publicly. He thanked everyone on this project.

11:05 a.m. The Commissioners and the Chair each made remarks about this project and recognized all of the hard work to achieve the results discussed.

11:19 a.m. The Chair noted that these are data-driven decisions. She pointed out that she hopes that replication throughout the state can continue. She noted Suffolk Construction's commitment to the overall efforts.

11:24 a.m. Ms. Griffin stated that this is one of the many legacies of the Commission that will live on.

11:25 a.m. Dr. Lightbown was called upon and she completed her report. She reiterated that the walk-up and drive-through on Derby day was a success considering COVID-19. PPC limited patrons in the building and on the apron to no more than 200 at a time. Suffolk Downs and Raynham Park also had an increase in numbers throughout the day. All three licensees reported no incidents with patrons, and satisfactory compliance with masks and social distancing.

11:27 a.m. Dr. Lightbown said there is heightened compliance in the backstretch area with reminders being sent out a couple of times a day. People are beginning to acclimate to wearing masks.



## Research and Responsible Gaming

- 11:30 a.m. **GameSense Update and Responsible Gaming Education Week**  
Director Vander Linden introduced the presenters: Teresa Fiore, Program Manager of Research and Responsible Gaming, Marlene Warner, Executive Director of Mass. Council on Compulsive Gambling, Chelsea Turner, Director of Responsible Gaming at the Mass. Council on Compulsive Gambling and Ken Averill, GameSense Advisor.
- Ms. Turner presented a PowerPoint Presentation of the GameSense Impact Report. First, she reviewed images of the preparation for the reopening of GameSense. She described safety strategies employed to create a safety protocol checklist for advisors that reinforce public health best practices. At the kiosks, GameSense tips are offered as well as being a link and a resource for more intense services as needed. She discussed GameSense's new approach to activities developed with social distancing in mind and shared examples of their recent behavior and practices.
- Next, the Commission reviewed a slide that described data gathered by GameSense from all three casinos from August of 2019 to August 2020 that showed a 57% overall decrease in interactions across properties. Mr. Vander Linden noted a 21% cut to the program for 2021, resulting in a reduction in the services provided.
- 11:45 a.m. Ken Averill, GameSense Advisor, shared a story about how he helped a patron control his gambling. He explained the measures that the patron is now taking as a result of the consultation.
- 11:48 a.m. Next, Ms. Turner reviewed VSE enrollment numbers, stating that VSE is beginning to see increased enrollments and reinstatements since reopening. She also reported on how the GameSense Advisors broadened their knowledge of various gambling topics with training.
- 11:53 a.m. Mr. Averill stated that he works the overnight shift and reported to the Commission that he has many quality interactions during this time and at peak times. He explained in detail the types of interactions that have taken place at Encore.
- 11:56 a.m. Program Manager Teresa Fiore then provided an update on Responsible Gambling Education Week and reviewed the 2020 Activity Schedule with the Commission. She stated that emphasis will be on sports betting; licensees have agreed to promote this theme, and she described the efforts they are making.
- 12:11 p.m. Ms. Warner spoke about GameSense 2.0. She described herself as the point person for this program and stated that the advisors are honing their expertise.

She described the current initiatives in the early stages of Positive Play research that comprise this program including a positive play scale.

12:19 p.m. Ms. Warner then recognized Jodie Neally, a VSE Recovery and Outreach Liaison, who has a unique and critical role in helping people in the contemplation stage regarding their gambling. She is an intermediary between the GameSense Advisors and treatment. She provides intensive telephone recovery support.

12:23 p.m. Mr. Vander Linden noted that this is a step for people who are not quite interested in treatment and is an excellent program. Ms. Warner then described the community outreach efforts that take place before patrons enter the casino.

12:27 p.m. Next, Ms. Warner explained Augmented Reality in gambling, which is in the development stage. This will be a new application to help novice players better understand their role as players, with GameSense tips incorporated into the application.

Ms. Warner then announced that the Mass. Council on Compulsive Gambling has changed its name to the Massachusetts Council on Gaming and Health.

12:35 p.m. Mr. Vander Linden addressed the need to be responsive and adaptive to changing times and keep things fresh and interesting for people. Where the team can integrate and lead with research and science, they will do so.

12:36 p.m. Commissioner Zuniga made remarks in support of the GameSense program. He noted that GameSense advisors should not be artificially incentivized to "hit numbers" given the social distancing and other considerations.

12:42 p.m. Commissioner Stebbins encouraged the expansion of the mailing program to other gaming stakeholders. He added that we should be able to share the list of resources, and indicated a hope to bring back more advisors that were laid off once casino business ticks back up.

12:44 p.m. Commissioners O'Brien and Cameron, and the Chair each commented in support of the program and thanked everyone involved for their work to provide these services in the COVID-19 environment.

12:50 p.m. The Commission took a 30-minute break.

1:20 p.m. *The Commission reconvened with a Roll Call.*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Stebbins: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

## **Executive Director Hiring Process and Interview**

- 1:20 p.m.     **Recap of Hiring Process**  
The Chair offered introductory remarks including a brief description of Ms. Wells and the events that have transpired since her interim appointment, and since the pandemic. She reviewed her appointment of Commissioner Zuniga to guide the search effort, and possible solicitation of an outside firm to assist with the search. The Chair indicated that given the circumstances there should be an internal assessment as to how to proceed, and whether an expanded search beyond Ms. Wells candidacy was warranted.
- 1:23 p.m.     Commissioner Zuniga provided details of the internal staff survey process that has taken place relative to the search for a new executive director. He noted a great appreciation for the work that Ms. Wells is doing and acknowledged that managing through this period has been extremely difficult.  
  
He then summarized some of the comments that were submitted by MGC staff.
- 1:30 p.m.     The Chair laid out that Ms. Wells may make some remarks, and noted the public format of the interview.
- 1:32 p.m.     Ms. Wells began by thanking the Commission for their support and thanked the entire staff at the Commission for their outstanding work during the pandemic.
- 1:33 p.m.     Ms. Wells delivered an opening statement to the Commission. She stated that she is privileged to have been trained to be a public servant. She listed her credentials and her responsibilities in each role. She described what she believes to be the purpose of her role as permanent executive director and emphasized public confidence in the MGC must be ensured. She recognized that communication has been identified as necessary in the surveys and intends to inform employees to ensure that they feel valued but communicate between divisions as well. She also wishes to focus on long term, advancement opportunities with staff and to continue evaluating processes and procedures. She also mentioned lasting infrastructure and technology requirements and internal/external compliance efforts. She then thanked the Commissioners and asked for their questions.
- 1:29 p.m.     **Commission Interview**  
Commissioner Cameron asked Ms. Wells what she has learned that will help her formulate her style and objectives moving forward. Ms. Wells answered that she has learned that people appreciate communication and being informed about what is going on in their workplace, collaboration with others, and professional development. She also learned the importance of making timely decisions.
- 1:56 p.m.     Commissioner O'Brien talked about the chance to work with Ms. Wells in other capacities. She asked Ms. Wells what she sees as options to ensure that inward, and outward-facing staleness does not creep into the organization. Ms. Wells

answered that it has to be ok to ask probing questions and create an environment that encourages people to feel comfortable enough to ask questions.

- 2:00 p.m. Commissioner Stebbins asked Ms. Wells how she intended to work with licensees continue to compete while complying with the law and regulations. She answered that there is a regulator/licensee relationship where you must be kind and professional; provide all information they need and listen as well. She also stated that showing integrity gains credibility with the licensees.
- 2:07 p.m. Commissioner Zuniga how she would achieve a work-life balance as executive director. Ms. Wells responded that she likes to work and would first identify a new director of the IEB to focus on the new role. She will rely on the senior and executive staff and appropriately delegate responsibilities.
- 2:11 p.m. The Chair stated that she values the culture of unity, cohesiveness, communication that has been fostered by Ms. Wells. She made further remarks regarding keeping a sustainable workload and inquired as to whether Ms. Wells had thoughts about the organizational chart structure. Ms. Wells talked about the existing structure including the Ombudsman and workforce development positions. She further noted the work that has been done in that regards including operational changes. She also focused her comments on the regulatory work, and need to address compliance functions.
- 2:19 p.m. Commissioner Cameron stated that Ms. Wells was elected to the board of trustees of IAGR during the year, and asked her to describe the experience. Ms. Wells stated that she is honored to be on the board. She has witnessed the international acknowledgement of the Commission's responsible gaming efforts, and discussed how the organization can focus on the digital world, and how to be relevant as an association in that world.
- 2:24 p.m. Commissioner O'Brien asked how she would ensure that she focuses her attention on the organization as a whole, and not just the IEB. Ms. Wells stated that understanding the role and responsibilities of the executive director role includes oversight of the entire agency.
- 2:26 p.m. Commissioner Stebbins asked what things she has witnessed that were unexpected while working with colleagues outside the IEB. Ms. Wells answered the opportunity to work with the I.T. department has been impressive. Looking at other areas where you can modernize the office has been helpful.
- 2:29 p.m. Commissioner Zuniga asked if she sees people coming back into the office or having a socially distant event that could complement our environment. Ms. Wells replied that H.R. and Finance are assisting her with returning to the office schedule, and people are interested in coming back into the office. If there is a way to create situations where people can return to work safely, she would like to

do that. She emphasized that safety and well-being of employees have to be the priority, not only physically but emotionally.

- 2:34 p.m. The Chair asked how the experience has been in the last eight months and how she would address the concern raised about how many people she is managing remotely. She addressed a number of issues and raised potential for more silent briefings to the Commissioners. When issues come up, her focus is to get everyone in the room to talk all at once, instead of separate individual meetings, which will help with time-management and lessen the number of touch-points that she has to have. The Chair also asked how she plans to work with the commissioners as full-time working commissioners. Ms. Wells stated that it is different, as all five work full-time and participate in the process and have policy oversight. She recognizes that the Executive Director is the lead administrator, but the Commission owns the overall policy and direction of the Commission. Ultimately, it is critical to get the commissioners the information they need to do their jobs.
- 2:40 p.m. Commissioner Cameron asked if Ms. Wells to share any ideas that may demonstrate a commitment to diversity. Ms. Wells explained that we will be implementing some of the same strategies used in the external processes we oversee internally (e.g. expanding diverse outreach for internal applicants), and looking at diversity resources within the office. She believes it is important that the Commission hold itself to the same standards it holds the licensees.
- 2:43 p.m. Commissioner Stebbins asked Ms. Wells to describe her management experience. Ms. Wells noted her EOPSS experience. She stated that it was mostly an agency with oversight, and she had oversight of four state agencies, and that working with agency leadership was critical.
- 2:48 p.m. The Commission agreed that they are ready to make a decision.  
*Commissioner Zuniga moved that the Commission offer Ms. Wells the job of executive director. Commissioner Cameron seconded the motion.*  
*Roll call vote:*  
*Commissioner Cameron: Aye.*  
*Commissioner O'Brien: Aye.*  
*Commissioner Stebbins: Aye.*  
*Commissioner Zuniga: Aye.*  
*Chair Judd-Stein: Aye.*  
*The motion passed unanimously.*
- 2:50 p.m. Commissioner Zuniga reviewed the salary history for Ms. Wells and the position of executive director in the past. The commissioner made a salary recommendation that the offer to Ms. Wells mirror the former Executive Director's salary, with the understanding that at the end of the calendar year, there will be a performance evaluation and related discussion.

2:55 p.m. The commissioners recognized that Ms. Wells has significantly more experience in gaming than her predecessor, but agreed that the recommendation was appropriate, with the appreciation that there will be a re-evaluation in a couple of months.

2:57 p.m. *Commissioner Zuniga moved that the Commission offer Ms. Wells annual compensation of \$185,000 with the understanding that a performance evaluation for the full calendar year of 2020 will be conducted. Commissioner Stebbins seconded the motion.*

*Roll Call Vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Stebbins: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

3:00 p.m. *Commissioner Zuniga moved to adjourn the public portion of the meeting. Commissioner O'Brien seconded the motion.*

*Roll Call Vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Commissioner Stebbins: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

### **List of Documents and Other Items Used**

1. Notice of Meeting and Agenda dated September 10, 2020
2. Encore Boston Harbor Final Construction Report dated May 2, 2020
3. Encore Boston Harbor Diversity Close Out dated September 10, 2020
4. Game Sense Impact Report PowerPoint Presentation



## Massachusetts Gaming Commission Meeting Minutes

**Date/Time:** September 24, 2020 – 10:00 a.m.

**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
MEETING ID: 112 822 8354

**Present:** Chair Cathy Judd-Stein  
Commissioner Gayle Cameron  
Commissioner Enrique Zuniga  
Commissioner Bruce Stebbins  
Commissioner Eileen O'Brien

**Given the unprecedented circumstances, Governor Charles Baker issued an order to provide limited relief from certain provisions of the Open Meeting Law to protect the health and safety of the public and individuals interested in attending public meetings during the global Coronavirus pandemic. In keeping with the guidance provided, the Commission conducted this public meeting utilizing remote collaboration technology.**

### Call to Order

10:00 a.m. Chair Cathy Judd-Stein called to order public meeting #320 of the Massachusetts Gaming Commission (Commission).

*The Chair confirmed a quorum for the meeting with a Roll Call. The following Commissioners were in attendance:*

*Commissioner Cameron  
Commissioner O'Brien  
Commissioner Zuniga  
Commissioner Stebbins  
Chair Judd-Stein*

### Approval of Meeting Minutes

10:04 a.m. *Commissioner Stebbins moved to approve the minutes from the Commission meeting of July 10, 2020, subject to correction for typographical errors and other*

*nonmaterial matters. The Chair requested an edit. Commissioner Cameron seconded the motion.*

*Roll Call Vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Commissioner Stebbins: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously, pending the edit.*

## **Administrative Update**

10:00 a.m. Executive Director Karen Wells stated that Plainridge Park Casino (PPC) is planning to return to 24/7 operations starting on October 9, 2020. Gaming agents and Massachusetts State Police will be prepared. She added that Encore Boston Harbor will be reopening their spa and retail locations in accordance with state guidelines. She noted that internally, the Restart Group will analyze the guidelines to determine whether any other action is needed. She also addressed the hours of operation at the facilities.

### **10:04 a.m. Casino Updates**

Investigations and Enforcement Bureau (I.E.B.) Chief Enforcement Counsel/Deputy Director Loretta Lillios stated that licensees are all in compliance with safety and health measures and enforcement of beverage guidelines. Overall acceptance by patrons has been good, with no issues to report. Each licensee continues to fall within the occupancy limits set in September. Ms. Lillios confirmed PPC's upcoming return to 24/7 operations that will go into effect on October 9, and retail changes are in effect at Encore. MGM is opening one floor of the hotel for invited guests.

Encore will have 87 new gaming positions at the end of October, and will still meet occupancy guidelines. She stated the notification requirement when there are known cases, and that the Commission has been notified of a small number of COVID-19 cases in the single digits, which she further discussed. She noted that each licensee is in contact with their local boards of public health.

10:16 a.m. Assistant I.E.B. Director and Gaming Agents Division Chief Bruce Band reported on the status of operations at the casinos. He noted occasional overcrowding in the elevators at Encore when patrons are leaving the casino. Encore is considering allowing patrons to exit using the stairs and are checking the fire code.

### **10:18 a.m. Revenue Numbers**

Ms. Wells reported on the August Gross Gaming Revenue (G.G.R.). She noted how the COVID-19 restrictions have impacted the G.G.R. and offered to track revenues in the future. Commissioner Zuniga is in favor of that continued analysis



and not to draw conclusions based on year over year analysis. The Chair asked CFAO Lennon about the ability to collect the financial results.

10:25 a.m. **License Status for Casino Re-hires**

Ms. Wells noted that an original employee license or registration has a term of five years. If someone is furloughed or laid-off, that license is still valid. Given the initial licensing date, only PPC employees may need to check to see if they are approaching the five-year expiration date. Ms. Wells noted that the Licensing Division will work with the licensee relative to employee licensing issues.

**Ombudsman's Office**

10:30 a.m. **Licensee First Quarter and Second Quarter Reports**

Construction Project Oversight Manager Joe Delaney reviewed the first and second-quarter reports for Plainridge Park Casino, MGM Springfield, and Encore Boston Harbor. Representatives of the licensees were available for any questions or comments.

Mr. Delaney explained the new format of the quarterly reports. The Chair confirmed that the statutory requirements and reporting obligations have been met through this format with the first two quarters.

10:34 a.m. **License Quarterly Report Template Discussion**

Mr. Delaney presented an update on the proposed updated reporting template and listed concerns raised by licensees. Topics included confidentiality, capital expenditures, diversity requirements, reporting on RFA-2 compliance, and non-gaming revenue and performance. The Commission then reviewed each category in the template in a PowerPoint. There was discussion around reporting non-gaming revenue and that each licensee reports this information differently. He noted the focus on employment reporting and Director Griffin is working on those templates as each licensee has different employment goals.

Mr. Delaney also raised the issue of Capital Expenditure (Cap-Ex) plans and how to report on the diversity in smaller projects. He also noted additional reporting on compliance, lottery sales and some of the events and activities held by the licensees.

10:50 a.m. Mr. Delaney discussed the annual report requirement. The Chair asked if there were questions from the Commissioners about answering some of the policy questions and give Mr. Delaney some assistance with these questions. There was discussion about the non-disclosure agreements (NDA) and whether non-gaming revenue is considered competitively sensitive.

10:53 a.m. Seth Stratton from MGM addressed the NDA question and competitive advantage issue. Lance George stated that PPC will need to consult the terms of their agreement. Commissioner Stebbins suggested that looking at the revenue on an

annual basis could be beneficial; local taxes, hotel tax, meal tax, could be a good indicator and get a sense of the non-gaming revenue's success. He would like this release of information on an annual basis.

- 11:01 a.m. As for capital expenditure multi-year plans, the Chair noted that PPC has had a plan in place; however, the others have not. There was discussion and Mr. Delaney suggested that there will need to be a report on capital expenditures. There was further discussion related to the reporting of diverse spending and employment.
- 11:05 a.m. There was a discussion about statutory provisions or requirements that diversity numbers being reported.
- 11:08 a.m. Commissioner Cameron noted the importance of tracking diversity numbers. She stated that continuous monitoring is required to keep the numbers strong. Commissioner Zuniga and Commissioner Stebbins agreed that it is as vital now as in previous years, even if the construction phase is over.
- 11:15 a.m. Commissioner O'Brien expressed her concern with bid-splitting and defining the calculation of the project's value if the Commission is going to allow such an exemption. The Chair noted that these diversity goals need to be met, and the Commission cannot waver on the commitment to meet diversity number requirements.
- 11:22 a.m. Mr. Delaney stated that Cap-Ex workforce diversity for subcontractors has not been recorded to date and that the Commission will need to create a new system to do so.
- 11:25 a.m. Commissioner Zuniga stated that the smaller the project is, the more difficult it is to meet the diversity goals. Mr. Stratton confirmed that this is a challenge. Commissioner Zuniga suggested a five-year plan. Commissioner Stebbins added that all licensees have different spending goals and other priorities regarding Cap-Ex.
- 11:29 a.m. Workforce, Supplier, and Diversity Director Jill Griffin clarified the construction workforce goals and further discussion was had.
- 11:32 a.m. The Chair stated that she would like to see diversity commitments extend from construction projects into Cap-Ex. Mr. Delaney suggested that he and Ms. Griffin work with the licensees to discuss this in the next few weeks.
- 11:35 a.m. Encore Vice President and General Counsel Jacqui Krum noted some concerns and referenced commitments already found in their gaming license requirements.

11:44 a.m. **Re-affirm LCMAC Members**

Mr. Delaney explained the positions that need reappointment to the LCMACs. He noted the five people up for reappointment and summarized the circumstance for one of the appointments.

11:51 a.m. *Commissioner Stebbins moved that the Commission approve the reappointments for the following Subcommittee members under the Gaming Policy Advisory Committee (GPAC), as referenced in the memorandum included in the Commissioners' Packet and as discussed:*

- *Vincent Panzini, as Chamber of Commerce Representative for the Region A Local Community Mitigation Advisory Committee (LCMAC);*
- *David Bancroft, as Regional Economic Development Organization Representative for the Region A LCMAC;*
- *Mayra Negron-Rivera, as Human Service Provider Representative for the Region A LCMAC; and*
- *Allison Ebner, as Chamber of Commerce Representative for the Region B LCMAC*

*Commissioner Zuniga seconded the motion.*

*Roll Call Vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Commissioner Stebbins: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

*Commissioner Stebbins further moved that the Commission approve the appointment of Richard Sullivan to serve as Regional Economic Development Representative for the Region B LCMAC. Commissioner Zuniga seconded the motion.*

*Roll Call Vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Commissioner Stebbins: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

11:50 a.m. The Commission took a temporary adjournment.

**Finance Division**

12:15 p.m. **End of Fiscal Year Budget Update**

Chief Financial and Accounting Officer Derek Lennon and Revenue Manager Doug O'Donnell reviewed the Fiscal Year 2020 Budget Closeout with the Commission.

The Commission approved an FY20 budget for the Gaming Control Fund of \$34.2M, requiring an initial assessment of \$29.78M on licensees. After three-quarters of adjustments, including the reductions implemented due to closures from COVID-19, the revised MGC budget was \$33.77M, which required a \$26.19M assessment on licensees. The spending estimates and revenue estimates included the costs for the independent monitor at Encore Boston Harbor. Mr. Lennon then reported the actual spending for FY20 in the different categories with the Commission.

12:30 p.m. There was a discussion around the Commission's payment timeline and cashflow management now that the Commission has shifted to a monthly assessment.

### **Research and Responsible Gaming**

#### **12:40 a.m. Section 97 Data Report Update**

Research and Responsible Gaming Director Mark Vander Linden reported on the status of the implementation of Section 97 of the gaming act which requires each gaming licensee to provide the MGC with customer tracking data collected through their loyalty programs. The intent is that the data be used by qualified researchers to develop a better understanding of gambling disorders and measures to mitigate harm. The exact language is provided on the second page of this memo.

To avoid the risk placing the licensees at a competitive disadvantage, the MGC agreed to delay the implementation of Section 97 until all three gaming licensees were operational.

Over the spring and summer, several activities have been underway that support the implementation of Section 97 including the MODE data resource. Mr. Vander Linden reviewed these with the Commission along with Dr. Tom Land.

12:49 p.m. Commissioner Zuniga noted the importance of protecting the anonymity of the players.

12:52 p.m. Tom Land made comments on the study and insights gained by individuals.

### **Equity and Inclusion Working Group**

#### **12:54 p.m. Presentation and Review of Statement of Purpose**

The Chair reviewed the purpose and intention of the Equity and Inclusion Group for the Commission. The Chair noted the timeliness of this effort given the recent

passing of Massachusetts Chief Justice Gants and U.S. Supreme Court Justice Ruth Bader Ginsberg. There will be the introduction of an action plan for consideration for formal ratification.

12:58 p.m. Commissioner Zuniga provided an overview of the group process and reviewed the purpose and action plan's statement in the Commissioners' Packet. He then outlined a five-point action plan for this group.

1:02 p.m. Ms. Griffin, Senior Financial Investigator Paul Eldredge, and Administrative/Project Assistant Tania Perez reviewed the statement of purpose with the Commission.

1:13 p.m. Human Resource Manager Trupti Banda commented about the need to focus to enhance the MGC's hiring and retention policies with respect to diversity. Ms. Wells discussed the role of the Commission and the review of procurement policies. Commissioners all made positive remarks in support of the group and their work.

1:18 p.m. *Commissioner Cameron moved that the Commission endorse and ratify the Statement of Purpose developed by the Equity and Inclusion Working Group included in the Commissioner's Packet and direct the Executive Director to implement its five-point action plan. Commissioner Stebbins seconded the motion.*

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Stebbins: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

### **Interim Director of Investigation and Enforcement Bureau**

1:20 p.m. Each of the Commissioners made remarks and endorsed the recommendation of Ms. Lillios as the Interim Director for the I.E.B.

1:25 p.m. *Commissioner O'Brien moved that the Commission designate Attorney Loretta Lillios as Interim Director of the Investigations and Enforcement Bureau.*

*Commissioner Stebbins seconded the motion.*

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Stebbins: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

Ms. Wells talked about the salary consideration and the numerous requirements of the position in addition to her current responsibilities.

*Commissioner O'Brien moved that the Commission authorize an interim salary increase of 15 percent for the duration of Attorney Lillios' appointment as Interim Director of the Investigations and Enforcement Bureau. Commissioner Stebbins seconded the motion.*

*Roll call vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Stebbins: Aye.*

*Commissioner Zuniga: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

Ms. Wells commented that there will be development of a job posting and a competitive hiring process for the Director of the I.E.B. position.

### **Commissioner Updates**

1:35 p.m. Commissioner Stebbins noted a recent call with Gaming Agents Chief Band and Deputy Cain with respect to cases of "switching" and how important it is for the Commission to work with licensees to prevent the practice.

Commissioner Zuniga proposed that he write a piece about efforts to gain employment with the gaming licensees, and wrestling with racism. The Commissioners encouraged him to do so. Commissioner O'Brien was interested in reviewing the final content of the written piece.

1:43 p.m. The Chair stated that Commissioner Cameron will be representing the Commission at an upcoming American Gaming Association presentation.

1:45 p.m. *Commissioner Zuniga moved to adjourn. Commissioner Stebbins seconded the motion.*

*Roll Call Vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Commissioner Stebbins: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

**List of Documents and Other Items Used**

1. Notice of Meeting and Agenda dated September 10, 2020
2. Draft Commission Meeting Minutes of July 10, 2020
3. Memorandum Re: Reappointment Recommendations for Subcommittee Members under the Gaming Policy Advisory Committee dated September 21, 2020
4. Memorandum: Reappointment of Richard Sullivan as Region B Regional Economic Development Representative dated September 21, 2020
5. P.P.C. Q1 2020 Quarterly Report Certification
6. P.P.C. Q1 2020 Quarterly Report
7. P.P.C. Q2 2020 Quarterly Report
8. M.G.M. Q1 2020 Quarterly Report
9. M.G.M. Q2 2020 Quarterly Report
10. Encore Q1 2020 Quarterly Report
11. Encore Q2 2020 Quarterly Report
12. Draft Quarterly Report Template
13. Memorandum Re: Fiscal Year 2020 Budget Closeout dated September 24, 2020
14. Section 97 Memo dated September 24, 2020
15. Equity and Inclusion Statement of Purpose



TO: MGC Chair Judd-Stein, Commissioners Cameron, O'Brien, and Zuniga

FROM: Jill Griffin, Director of Workforce, Supplier, and Diversity Development; Todd Grossman, General Counsel; Crystal Howard, Program Manager

CC: Karen Wells, Executive Director

DATE: January 11, 2021

RE: Ethics/divided loyalties legislation

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## **SUMMARY**

Commission staff will provide an update on earlier legislative filings regarding the ethics/conflict of interest issue. Staff is exploring options for moving forward as the previous Agency Filed Bill HB14 is now dead. Moving forward with legislation would require at least one legislative sponsor by the current session filing deadline as the Agency filing deadline of November 4, 2020 has passed. Lawmakers at the start of a session can usually file bills up until 5 p.m. on the third Friday in January but this session (last week) representatives adopted an order, during the first day of the 2021-2022 session, that allows representatives and senators to file bills that are considered timely until February 19.

## **THE ISSUE**

The Gaming Policy Advisory Committee, and associated subcommittees (including a Subcommittee on Community Mitigation), were established pursuant to G.L c.23K, §68 to provide advice to the Commission on gaming policy and related mitigation matters. The committees are comprised of appointees from municipalities and gaming licensees, amongst others. By virtue of their membership on the committees these individuals are deemed special state employees. The state conflict of interest law, G.L. c.268A, §4, contains several restrictions against divided loyalties. Accordingly, individuals whose employment requires some touches with mitigation efforts related to the casinos are generally precluded from serving on the Commission's committees and subcommittees. This has made it difficult to fill the statutorily required seats on the committees.

By statute the LCMACs include appointees from the host and surrounding communities to the gaming facilities. It is likely municipal and regional planning agency employees that are familiar with how gaming facilities are being developed and operated in their communities are in the best position to provide informed input in many of these advisory roles. However, it has been determined that municipal and regional employees may be in violation of the State's Conflict of



Massachusetts Gaming Commission



Interest Law (M.G.L. c. 268A) if they provide advice to the Gaming Commission while also performing their local duties involving gaming related matters.

### **POTENTIAL SOLUTIONS FOR CONSIDERATION BY THE COMMISSION**

Staff has identified several options for the Commission to consider that would streamline committee and subcommittee processes, create efficiencies, and allow staff to more easily meet committee legislative requirements for quorum. Although broadly similar, each option has a nuanced difference described below.

**Option 1** - The Gaming Commission worked closely with the State Ethics Commission to craft language to allow municipal and regional planning employees to provide advice to the Gaming Commission. This legislation would exempt municipal and regional planning employees who are members of the Gaming Policy Advisory Committee (GPAC), its subcommittee and Local Community Mitigation Advisory Committees (or LCMACs) from Section 4 of the state's Conflict of Interest Law.

#### HB14 - AN ACT TO ENABLE MUNICIPAL AND REGIONAL PLANNING AGENCY EMPLOYEES TO FULLY PARTICIPATE IN GAMING POLICY ADVISORY COMMITTEES

SECTION 1. Section 68 of chapter 23K of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting at the end the following paragraph:

(f) A municipal employee serving as a member of an advisory committee or subcommittee created by this section shall not violate section 4 of Chapter 268A by expressing the views of the employing municipality or regional planning agency during committee or subcommittee meetings or by receiving usual compensation as a municipal employee or by performing the usual duties of municipal employment, including acting as an agent or attorney for the municipality or regional planning agency, in relation to particular matters in which the employee participated or which are, or in the prior year have been a subject of official responsibility as a member of the advisory committee or subcommittee or which are pending before the advisory committee or subcommittee.

#### OR

**Option 2** - Similar to the Cannabis Advisory Board legislation (below in Option 3), but this option only exempts municipal employees from special state employee status. Municipal employees would need to comply with their own municipal ethics codes.

#### AN ACT TO ENABLE MUNICIPAL AND REGIONAL PLANNING AGENCY EMPLOYEES TO FULLY PARTICIPATE IN GAMING POLICY ADVISORY COMMITTEES

SECTION 1. Section 68 of chapter 23K of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting at the end the following paragraph:



Massachusetts Gaming Commission

(f) A municipal employee serving as a member of the gaming policy advisory committee, or a subcommittee thereof, shall not be a state employee under chapter 268A by virtue of their service in that capacity.

**Option 3** – Since the filing of HB14, new legislation related to the formation of the Cannabis Commission was introduced. Chapter 10, Section 77 (a) exempts all Cannabis Advisory Board members from being considered state employees.

CANNABIS ADVISORY BOARD, CHAPTER 10, SECTION 77 (a) .... Members of the board shall not be state employees under chapter 268A by virtue of their service on the board.

### **History**

The Commission filed the first legislative proposal addressing this issue as Agency bill HB-10 (before becoming HB-4398) on March 22, 2017. The Commission then resubmitted [the proposal](#) (Option 1 above) to the Clerk of the House on November 6, 2018 . The Commission filed HB14 on January 22, 2019 as an agency-filed bill, which was referred to Joint Committee on Economic Development and Emerging Technologies. Via [letter dated July 15, 2019](#) , the Commission expressed its support for the bill.

On February 5, 2020, the bill was reported favorably by Joint Committee on Economic Development and Emerging Technologies. Once reported, it was sent to House Steering, Policy, and Scheduling where it remained without an engrossment vote or resulting enactment votes. With no further action before the last day of the legislative session at midnight (January 5, 2021), the bill is now dead and will need to be refiled in the new legislative session by the new filing deadline of February 19 .



Massachusetts Gaming Commission



TO: Chair Judd-Stein, Commissioner Cameron, O'Brien, and Zuniga

FROM: Mark Vander Linden, Director of Research and Responsible Gaming, Katrina Jagroop-Gomes, Chief Information Officer

CC: Karen Well, Executive Director

DATE: January 14, 2021

RE: Encore Boston Harbor request to delay implementation of a play management system

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On October 1, 2018, the MGC entered into a memorandum of understanding with Encore Boston Harbor (EBH) and MGM Springfield (MGM) to develop and implement a play management system on the International Game Technology (IGT) platform similar to PlayMyWay at Plainridge Park Casino, no later than September 1, 2020.

Since that time, both operators, IGT and the MGC, have made significant progress toward developing this system. However, considering the impact of COVID-19 on casino operations and the licensees' ability to commit to short-term capital expenditures, on April 23, 2020, the MGC granted a joint request by MGM and EBH to postpone the implementation until September 1, 2021 (a one-year delay).

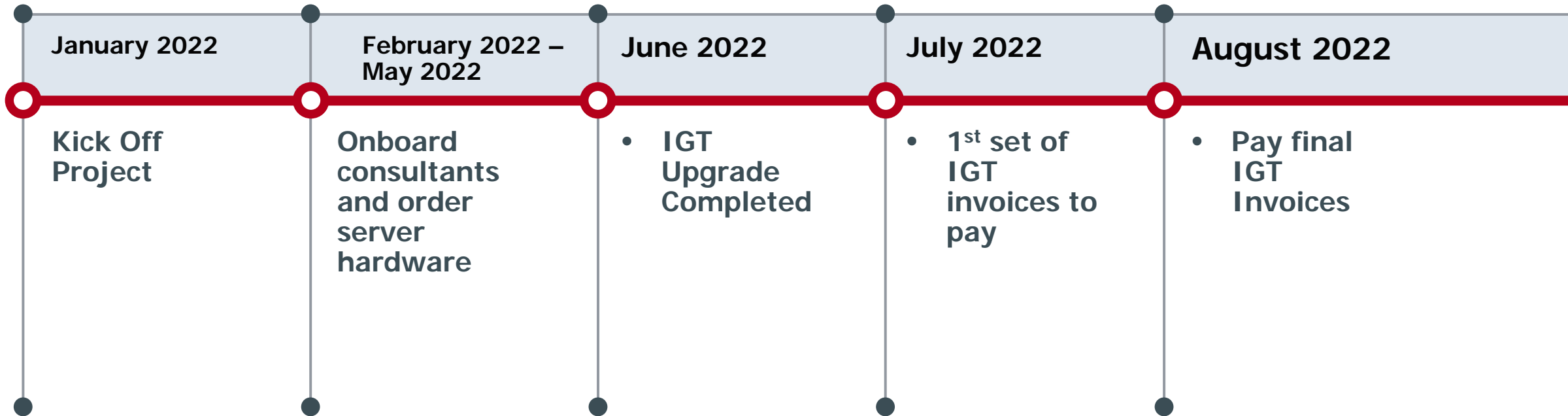
In November, Jacqui Krum, Encore Boston Harbor Senior VP and General Counsel, requested a further delay. While acknowledging progress on the project's technical aspects, she expressed concern about the current economic environment and EBH's ability to meet the implementation date. Ms. Krum did not specify a new date for implementation.

Representatives from MGM have stated they are on track to launch by September 1, 2021, or sooner.



Massachusetts Gaming Commission

# IGT 9.7 Upgrade Timeline



# GameSense Update

January 14, 2021

# THE NEW NORMAL: Safety Vigilance

GameSense has strict safety protocols in place that are consistent with MA Department of Public Health, CDC, MGC and casino guidelines.

- Strategies include PPE, social distancing, frequent handwashing, persistent cleaning and adherence to strict safety and travel policies
- Interactions conducted safely distanced; use laminated cards or the large monitor to help facilitate this



**GSA Rhonda Martins (EBH)  
showing off her PPE**

# The Numbers: Definition Refresher

**Simple Interaction:** Communication unrelated to responsible or problem gambling. Examples: where to get a taxi, collect their promotion or find the restrooms.

**Demonstration:** Two-way communication about responsible or problem gambling which utilizes a GameSense tool such as a kiosk, website, brochure or learning tool.

**Exchange:** Two-way communication about responsible or problem gambling which does not use a GameSense tool.

**Casino Related:** Communication regarding a casino-specific event, promotion, rewards card or how the games work.

**VSEs (Voluntary Self-Exclusion):** Allows participants to voluntarily exclude themselves from the Massachusetts gaming or any area in which pari-mutuel wagers are placed.

**Reinstatements:** Removal from VSE program after completion of VSE term

# The Numbers: PPC

<u>Type of Interaction</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>
<b>Simple Interaction</b>	4184 (2025 RGEW)	2681	2354	2282
<b>Demonstration</b>	805 (608 RGEW)	176	125	209
<b>Exchange</b>	267 (72 RGEW)	134	207	134
<b>Casino Related</b>	683 (235 RGEW)	548	375	340
<b>VSE Enrollments</b>	2	7	6	6
<b>VSE Reinstatements</b>	4	5	1	1

## *Additional Information:*

- Females tend to engage in more interactions with GSAs than males (53% vs. 47%, respectively)
- The majority of the interactions take place between 12:00-10:00 pm, even prior to the casino's hours being reduced.
- The majority of patrons at PPC tends to be greater than 50 years (skews oldest of the three casinos.)



# The Numbers: MGM

<u>Type of Interaction</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>
<b>Simple Interaction:</b>	2729 (491 RGEW)	2573	1767	3509
<b>Demonstration:</b>	852 (562 RGEW)	258	125	687
<b>Exchange:</b>	224 (39 RGEW)	113	864	255
<b>Casino Related:</b>	1778 (125 RGEW)	753	511	1739
<b>VSE Enrollments:</b>	12	9	3	1
<b>Reinstatements:</b>	5	6	3	0

## *Additional Information:*

- Females tend to engage in more interactions with GSAs than males (59% vs. 41%, respectively)
- The majority of the interactions took place between noon and 10 pm, even prior to the casino's hours being reduced.
- The majority of patrons are between the ages of 35 and 64.

# The Numbers: EBH

<u>Type of Interaction</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>
<b>Simple Interaction:</b>	8804 (2367 RGEW)	7335	4466	3124
<b>Demonstration:</b>	2675 (2390 RGEW)	385	217	543
<b>Exchange:</b>	439 (93 RGEW)	333	341	265
<b>Casino Related:</b>	3452 (744 RGEW)	2967	1799	1186
<b>VSE Enrollments:</b>	18*	12*	8	9
<b>Reinstatements:</b>	1	7	1	4

## *Additional Information:*

- Females tend to engage in more interactions with GSAs than males (53% vs. 47%, respectively)
- The majority of the interactions took place between 9am and 10 pm, even prior to the casino's hours being reduced.
- The majority of patrons at EBH are less than 50 years old (skews youngest of the three casinos.)

*\*Four of the VSEs in September occurred during the 24-hour overnight shift and 6 of the VSEs in October occurred during the overnight shift.*



**GSA Aisha Shambley (MGM)  
in the Halloween spirit**

# The Numbers: Summary

Not surprisingly, interactions are down. Reasons include:

## Safety

- SAFETY FIRST
- Fewer ways to interact
- Patrons less likely to engage / naturally social distancing
- Capacity limited and hours reduced (Exec. Order)
- Traffic patterns have changed

## Staffing

- Reduction in staff (went from 23 to 17, plus we have 1 staff on furlough; approximately a 25% reduction in staffing hours overall over last year)

Highlights Include:



1. Interactions, including VSEs, still significant
2. Developing new ways to integrate technology for safer interactions: monitors, digitized quizzes, remote VSEs
3. Increased creativity: fun masks, upcycled and new quizzes, laminated flash cards

# VSE Update: Remote VSEs

By using digital devices, we can safely and compassionately walk participants through the VSE process from step one to sign off. This is fantastic for a number of reasons:

1. Safety. Not everyone is comfortable with face-to-face conversations, even with distancing and masks.
2. Logistics. It may be more convenient for folks in rural areas or with less access to transportation.
3. Connection. Personal connection remains a priority. It's essential that participants feel supported and are provided a warm hand off.
4. Comfort. Folks who are struggling w/ their gambling don't necessarily want to be in a casino environment.
5. Accessibility and rapid response. Once the casinos resume to regular hours, our hope is to offer VSEs 24-7, 365 days a year. When someone is in crisis, we want to be there for them in their toughest moments.

can use a mobile device



or a computer



# VSE Update: Outreach & Recovery Liaison Support

- The Outreach & Recovery Liaison is a professional who shares her lived experience of mental health recovery, resilience and healing to inspire hope and the courage to act.
- The Outreach & Recovery Liaison is a resource who provides information, support, referrals, and possible accompaniment to resources, including: treatment centers; peer support organizations (such as GA or other 12-step groups or Smart Recovery); and education about online self-help resources.
- The Outreach & Recovery Liaison provides assistance to people who are contemplating slowing down or stopping their gambling and looking for resources outside of the casino.
- The Outreach & Recovery Liaison helps to create a seamless transition from VSE, or request for help to the right person (could be GA, in-person, etc.)

# VSE Update: Outreach & Recovery Liaison Support

A little bit about me . . .

VSE follow ups (since July 1)

- 36 participants have requested follow ups
- Attempts are made by phone (10), and email if there is no phone (4)
- Total connected with so far = 24
- In progress = 5

Telephone Recovery Support (since July 1)

- Have started 16 TRS's
- Have completed 12 TRS's
- Have 4 in progress
- Success story / magic moment



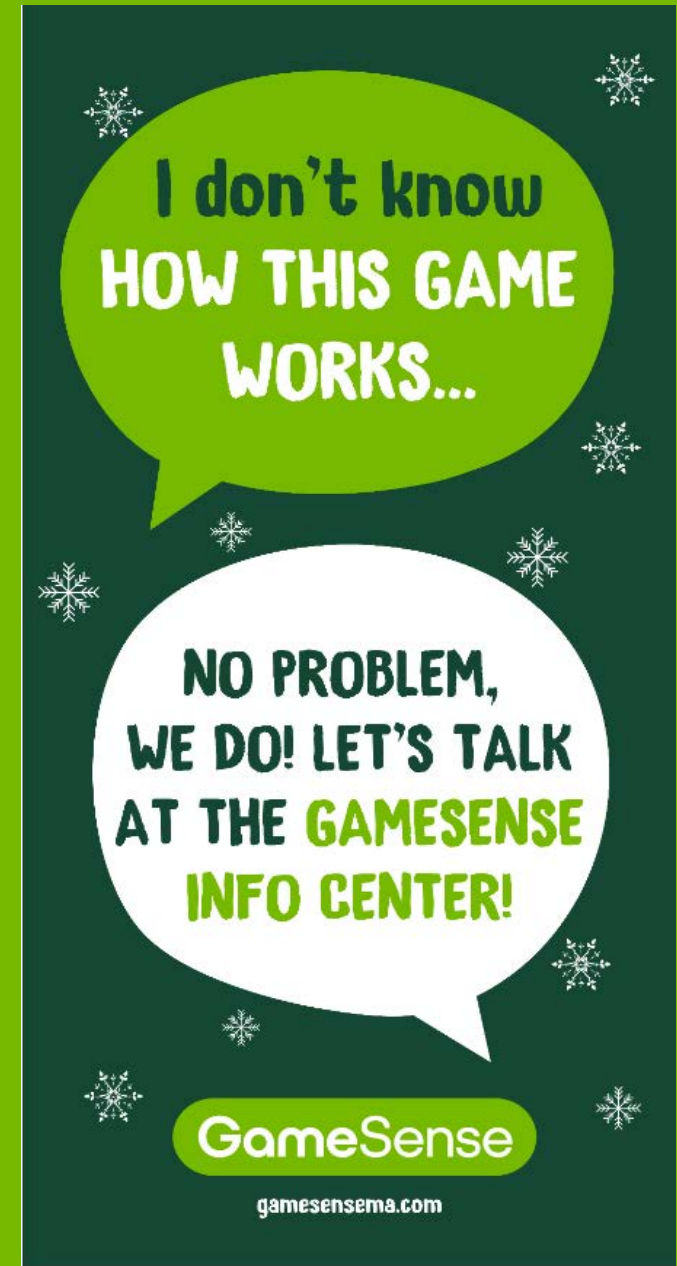
**Jodie Neally**

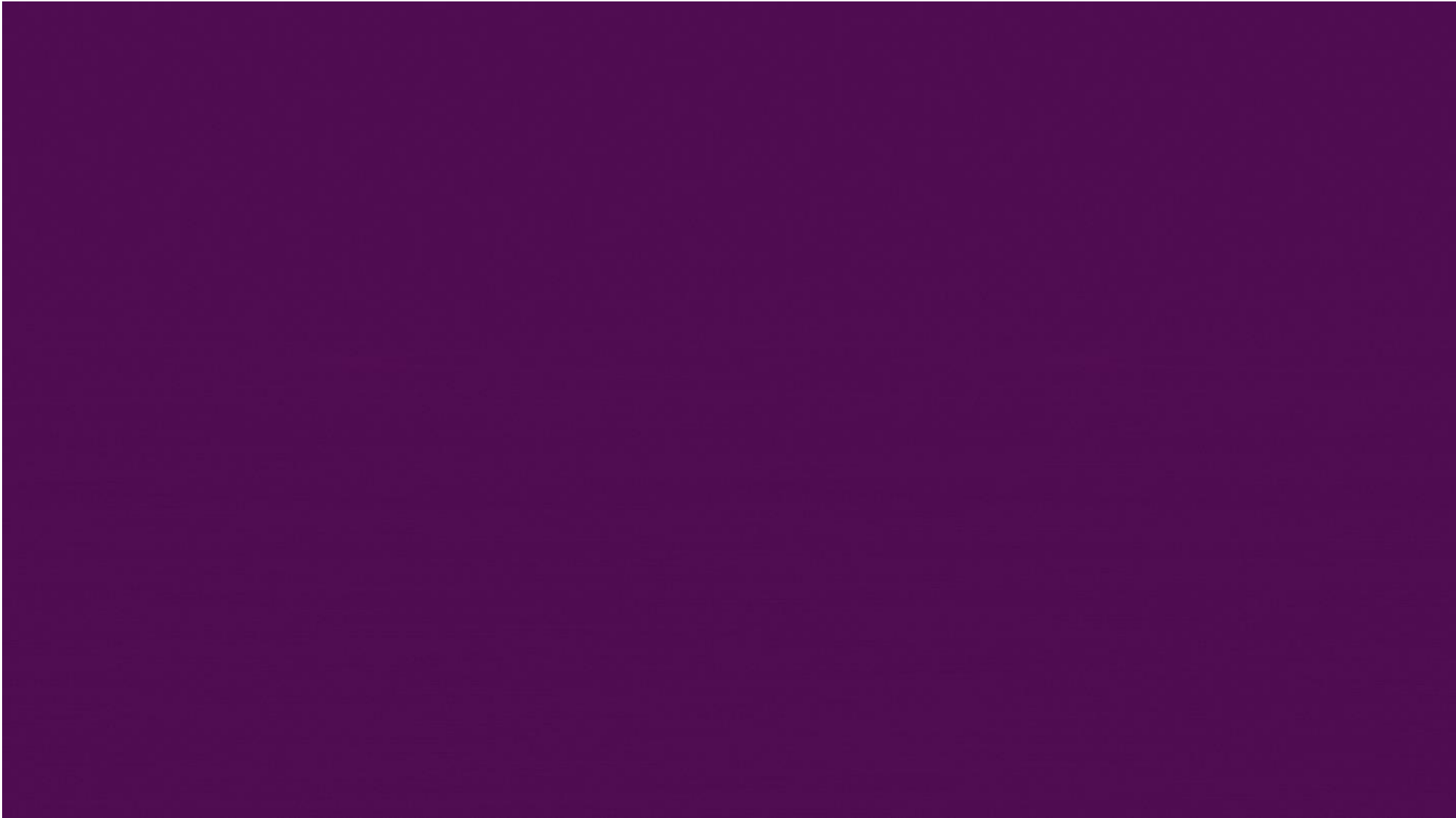


Approximately 25% of VSEs request follow up; of these, Jodie successfully connects w/ approximately 80%.

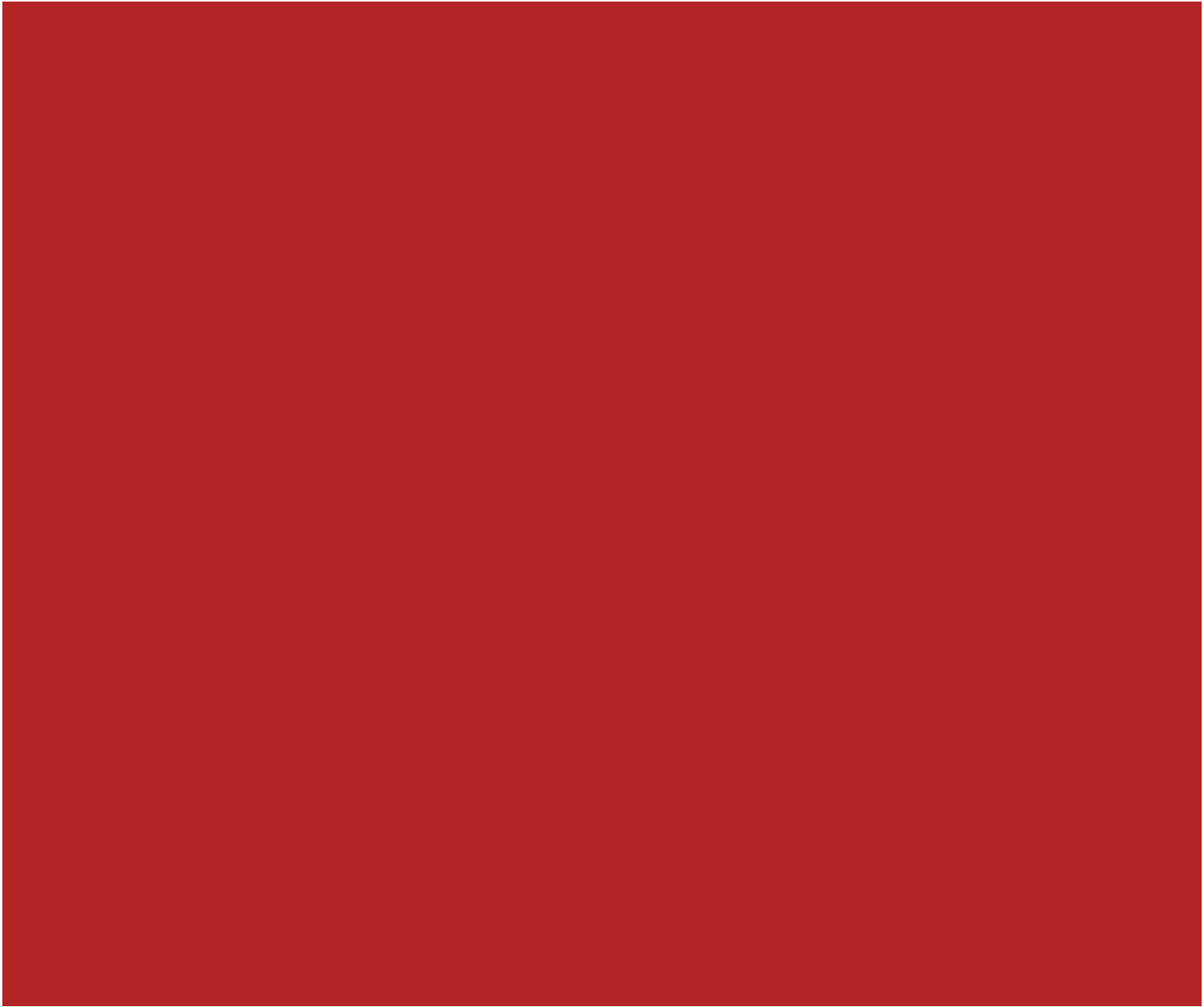
# Communications Highlights

- Ongoing social media efforts include FB, Twitter, Instagram & LinkedIn.
  - GameSenseMA Platforms: Monthly digital campaigns with daily messages, averaging 60 branded graphics/videos per month with accompanying copy promoting public health, PG programs, RG tips and GameSense resources.
  - MACGH Platforms: In addition to engagement generated from MGC and GameSense platforms, MACGH saw a reach of 30,000+ over the last quarter on their own social media platforms
- Designed new pull-up banners for PPC and MGM.
- 3 site specific GameSense newsletters were distributed where GameSense Champion Awardees were recognized: Nuala Dearden, JoAnn Smith, Lisa Douangmala (PPC); Christopher Benoit (MGM); and, Richie Mendoza, Log Hoang Nguyen & Francisco Chacon (EBH).
- MACGH participated in a local broadcasting session on RG for the senior population and filmed two general PSAs. It's estimated the broadcasted presentation will be picked up by 20 other stations and the PSAs will be delivered shortly to us for distribution.









# Communications Highlights

- Participated in NCPG – McGill University’s Int’l Centre for Youth Gambling Problems and High-Risk Behaviors Partnership RG Holiday campaign educating adults not to gift lottery tickets to kids.
- MACGH and PPC collaborated on a holiday Toy Drive; this included a press release, social media and in-house materials. Hundreds of Toys were collected for Toys for Tots.
- Partnership w/ BCLC remains strong and we share messaging and design concepts with each other on a regular basis. Here are a few examples just from just last month . . .



**Getting in the Holiday Spirit – Toys donated by GameSense staff, PPC staff and patrons for the U.S. Marines’ Toys for Tots program.**

# Responsible Gaming Holiday Messaging

 **Massachusetts Council on Gaming and Health**  
Published by Phil Sherwood · December 5, 2020 ·

Stop by the GameSense Information Center at [Plainridge Park Casino](#) (PPC) to drop off a new, unwrapped toy for Toys for Tots between now and next Thursday. #GameSenseMA & PPC want to encourage people to #GiftSmart this holiday season and give children toys, not lottery tickets. #ResponsibleGaming #MACGH #ToysForTots



 **GameSenseMA** @GameSenseMA · Dec 11, 2020

Giving kids lottery tickets as stocking stuffers may seem harmless, but research has shown that many adults with gambling problems started to gamble as a young child. Check out some #GiftSmart ideas for kids, here: [buff.ly/3qM5Pmq](https://buff.ly/3qM5Pmq) #ResponsibleGaming



 **Massachusetts Council on Gaming and Health**  
Published by Phil Sherwood · December 3, 2020 ·

Kudos to [Plainridge Park Casino](#) for again participating in the Toys for Tots campaign to encourage people to give children toys, not lottery tickets, this holiday season! Want to donate? Bring a new, unwrapped toy to Fluties Sports Pub at PPC on Dec 9& 10 from 2pm to 7pm. #ToysForTots



GIFT RESPONSIBLY.  
LOTTERY TICKETS AREN'T CHILD'S PLAY.

Send Message

Boost Again

GiftSmart

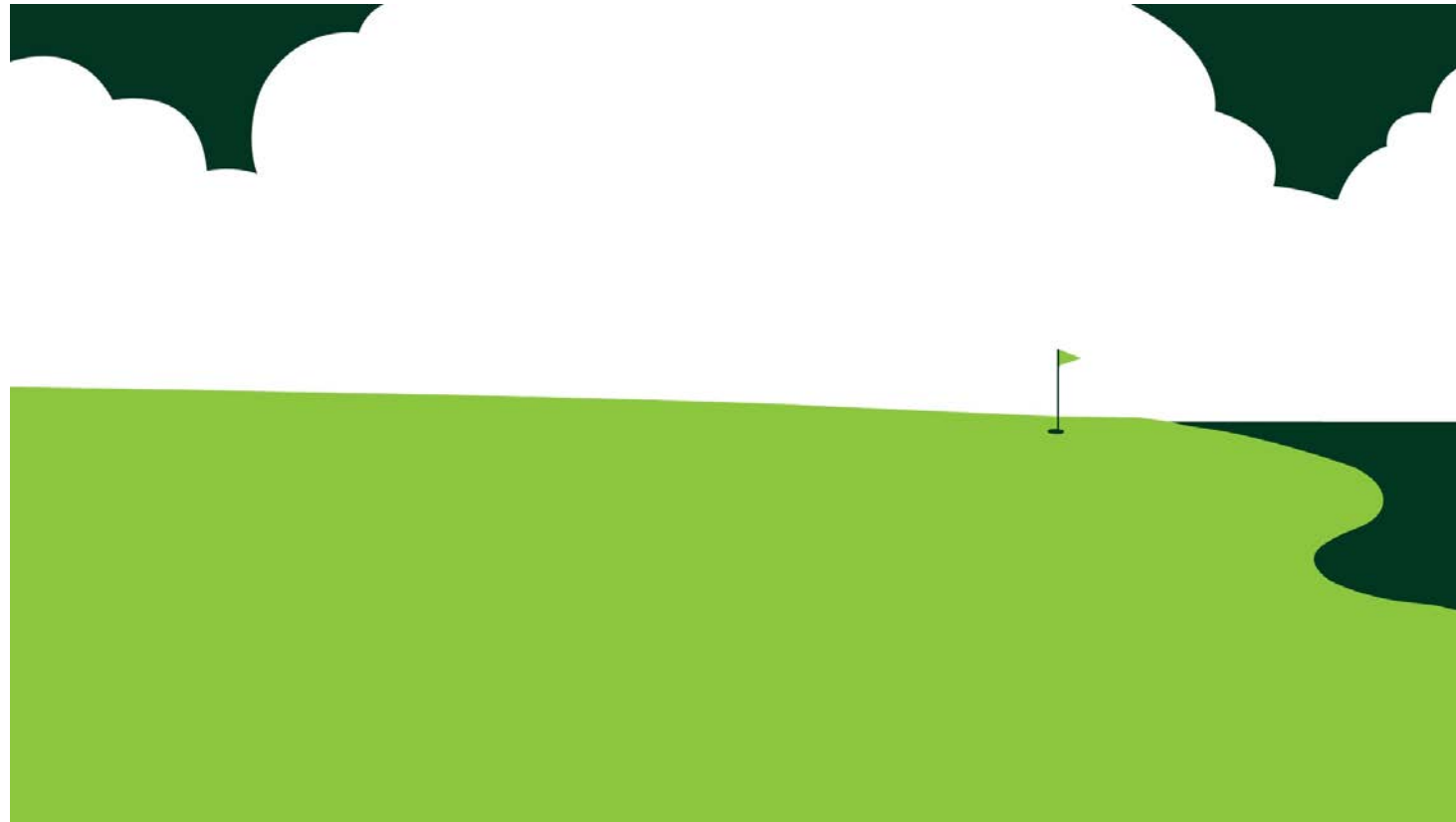
1,312 People Reached

118 Engagements

A Facebook post featuring a graphic with the text "GIFT RESPONSIBLY. LOTTERY TICKETS AREN'T CHILD'S PLAY." The graphic shows a blue car and a red gift box. Below the graphic are the Facebook post details: "Send Message", "Boost Again", "GiftSmart", "1,312 People Reached", and "118 Engagements".

# A few more Communications Highlights

Here are some of the examples of video collaboration with BCLC and GameSense.



# A few more Communications Highlights



# Outreach & Training Update

## Challenges:

- Pandemic, technology, Zoom fatigue

## Successes:

- New Hire Trainings at EBH (3) & PPC (1)
- Training for HRiA
- Designated Agent Training
- Asian Outreach:
  - Kam Man Foods, Worcester Senior Center, Greater Boston Chinese Golden Age Center, Asian American Civic Association
- Veterans Outreach:
  - MassHire (2)
- Older Adults:
  - Presentation at Sutton Senior Center on local access television; now available for use by 120 towns! Will reach 1000s
- Continuing calls – lots of interest; folks just want to wait



**Senior GSA Linh Ho**  
**Go To Meeting & Zoom Presentation Guru**

# EBH Training re: Resources for Asian Community

## Live Virtual 60 min Training:

- Employees who work in Asian marketing
- Hosts for Asian patrons

## New Online Learning Modules (for all EBH employees):

- GameSense 101
- Resources for Asian Community
- Other modules to follow

PEARL OF GAMESENSE

有可能在 21 点上花上几个小时。  
但设定时间限制有助于您保持新鲜感。

关于 21 点的 21 条须知

有其他问题?

在 GameSense 信息中心  
咨询 GameSense 顾问  
或访问 [gamesensema.com](http://gamesensema.com)

像王牌一样了解游戏。

# Augmented Reality

**CONCEPT:** Educate players about what the house edge is and how it works across 3 gaming platforms: Roulette, Blackjack and slots.

**AUDIENCE:** Novice – casual players

## WHY AR?

- It's safe!
- It's fun and engaging
- Helps explain complex concept across multiple games
- It's portable and less dispensible
- The more time you spend with it, the more you will learn

## WHAT'S NEXT?

- Demonstration at April Meeting





# Coming Soon!

## Positive Play

- 1512 MA residents took survey relating to Positive Pay Scale and Problem Gambling Severity Index
- Considered pre, during and post lockdown perspectives
- Want to support players through data driven segmentation efforts
- Jan. 28 Presentation by Dr. Richard Wood



## Low-Risk Gambling Guidelines (LRGG)

- Provides guidance on lower-risk limits for frequency of gambling, expenditure, and percent of income spent on gambling.
- Created in collaboration with researchers from eight countries and analysis of epidemiological data from over 60,000 gamblers.
- MAGIC was the only US project included in the effort.



## PGAM

- Safety first!
  - No tabling
  - Digital quizzes
- All staff training at EBH on Resources for Asian Community
- Release LRGG
- Communications efforts to include signage, press release and social media and geofencing





**MGC Commissioner Bruce Stebbins  
at EBH GSIC**

**Thank You Commissioner  
Stebbins for all your support!**



**Best Wishes  
on Your Next Endeavor!**





*Division of Racing*

## **MEMORANDUM**

<b>TO:</b>	Massachusetts Gaming Commission
<b>FROM:</b>	Chad Bourque, Financial Analyst
<b>SUBJECT:</b>	Local Aid Quarterly Distribution for Q4 CY 2020
<b>DATE:</b>	Jan 05, 2021

In accordance with the Commonwealth of Massachusetts Budget and appropriation 1050-0140, local aid is payable to each city and town within which racing activities are conducted. Amounts are computed at .35 percent times amounts wagered during the quarter ended six months prior to the payment.

All wagers were placed through account deposit wagering (ADW) providers. On track wagering was not available during the period due to COVID-19 orders.

• City of Boston	\$160,454.13
• Town of Plainville	\$3,556.62
• Town of Raynham	\$0.00
• City of Revere	\$80,225.86
Total local aid quarterly payment   December 31, 2020	\$244,236.61

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

Encl. localaid\_q4\_cy\_2020

Cdb



Massachusetts Gaming Commission

Computation of Local Aid Distributions Qtrr Ending 12/31/2020

	<u>Apr, May, June</u>	<u>Local Aid .0035</u>	<u>Payable to City / Town</u>
<u>Plainridge :</u>			
On track	0		
Exports	0		
Hollywood Bets	1,016,177		
Total	<u>1,016,177</u>	<u>\$3,556.62</u>	Plainville
<u>Raynham:</u>			
On track	0		
Total	<u>0</u>	<u>\$0.00</u>	Raynham
<u>Suffolk Downs:</u>			
On track	0		
Exports	0		
TVG	41,346,176		
Twin Spires	13,454,459		
Xpress Bets	7,412,388		
NYRA Bets	6,552,687		
Total	<u>68,765,711</u>	<u>\$240,679.99</u>	Boston 2/3   Revere 1/3
<u>Wonderland</u>			
On track	0		
Total	<u>0</u>	<u>\$0.00</u>	Boston 2/3   Revere 1/3
<b>Grand Total</b>	<b>69,781,888</b>	<b>\$244,236.61</b>	

<u>Distributions:</u>		
Town of Plainville	On Plainridge	\$3,556.62
Town of Raynham	On Raynham	\$0.00
City of Boston (line 1)	On Suffolk	\$160,454.13
City of Revere (line 1)	On Suffolk	\$80,225.86
City of Boston (line 2)	On Wonderland	\$0.00
City of Revere (line 2)	On Wonderland	\$0.00
<b>Total</b>		<b>\$244,236.61</b>

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



Massachusetts Gaming Commission

<b>2020 Q2 HANDLES</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>TOTALS</b>
PLAINRIDGE ON TRACK	-	-	-	-
EXPORTS	-	-	-	-
WINLINE	253,972	409,678	352,527	1,016,177
<b>TOTALS</b>	<b>253,972</b>	<b>409,678</b>	<b>352,527</b>	<b>1,016,177</b>
RAYNHAM ON TRACK	-	-	-	-
<b>TOTALS</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
SUFFOLK ON TRACK	-	-	-	-
EXPORTS	-	-	-	-
TVG	11,104,081	15,120,964	15,121,131	41,346,176
TWS	3,389,417	4,719,123	5,345,919	13,454,459
XPRESS BETS	1,931,343	2,668,653	2,812,392	7,412,388
NYRA	1,642,344	2,455,172	2,455,172	6,552,687
<b>TOTALS</b>	<b>18,067,185</b>	<b>24,963,912</b>	<b>25,734,614</b>	<b>68,765,711</b>
WONDERLAND ON TRACK	-	-	-	-
<b>TOTALS</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTALS</b>	<b>18,321,157</b>	<b>25,373,590</b>	<b>26,087,141</b>	<b>69,781,888</b>

Amounts are computed at .35 percent times amounts wagered during the quarter ended six months prior to the payment.



Massachusetts Gaming Commission