



NOTICE OF MEETING AND AGENDA

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, and Section 20 of Chapter 20 of the Acts of 2021, notice is hereby given of a meeting of the **Massachusetts Gaming Commission**. The meeting will take place:

Thursday | November 18, 2021 | 10:00 a.m.
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID/ PARTICIPANT CODE: 111 480 5026

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

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

PUBLIC MEETING - #361

1. Call to Order
2. Administrative Update - Karen Wells, Executive Director
 - a. On-site Casino Updates –Bruce Band, Assistant Director, Gaming Agents Division Chief
 - b. Hybrid Work Model and Office Reopening Update – Karen Wells, Executive Director
 - c. Vendor Exemption for Salary Review Project– Karen Wells, Executive Director; Derek Lennon, Chief Financial Officer **VOTE**
 - d. Human Resources Vacation Carryover– Karen Wells, Executive Director; Trupti Banda, Human Resources Manager **VOTE**
3. Community Affairs – Joe Delaney, Chief of Community Affairs
 - a. MGM Springfield Quarterly Report– Arlen Carballo, Executive Director of Finance; Jason Randall, Director of Human Resources; Daniel Miller, Director of Compliance; Beth Ward, Community Affairs Manager
 - b. Plainridge Park Casino Quarterly Report– North Grounsell, General Manager; Dana Fortney, VP of Finance; Kathy Lucas, VP of Human Resources; Lisa McKenney, Compliance Manager
 - c. Community Mitigation Fund Final Guidelines- Joe Delaney, Chief of Community Affairs; Mary Thurlow, Senior Program Manager **VOTE**



Massachusetts Gaming Commission

4. Racing Division – Dr. Alexandra Lightbown, Director of Racing and Chief Veterinarian;
Todd Grossman, General Counsel
 - a. Racing Applications Status

5. Licensing Division- Nakisha Skinner, Chief of Licensing
 - a. MGM Service Employee Exemption Request

6. Research and Responsible Gaming - Mark Vander Linden, Director; Marie-Claire Flores-Pajot, Research Manager
 - a. SEIGMA Ad-Hoc Report

7. Commissioner Updates
 - a. Annual Report – Cathy Judd-Stein, Chair; Karen Wells, Executive Director
 - b. Executive Director’s Annual Review Process– Eileen O’Brien, Commissioner

8. Other Business - Reserved for matters the Chair did not reasonably anticipate at the time of posting.

VOTE

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

November 15, 2021

Cathy Judd-Stein
Chair

Posted to Website: November 16, 2021 at 10:00 a.m.



Massachusetts Gaming Commission

MASSACHUSETTS GAMING COMMISSION

MEMORANDUM

To: Chair Judd-Stein and Commissioners Cameron, Hill, and O'Brien
From: Karen Wells, Executive Director and Derek Lennon, CFAO
Date: 11/18/2021
Re: Procurement Exception Request

Overview:

In March of 2021 the MGC embarked on a pay structure review process. It had been over five (5) years since an agency wide analysis had been completed. The review was intended to document compliance with the Massachusetts Equal Pay Act and to ensure that employees at all levels at the MGC are being paid fairly. For the review to be timely and complete the MGC bifurcated the process.

The MGC team has completed the Equal Pay Act analysis and documentation and now is seeking the assistance of a consultant to embark on the review of the overall pay structure at the Commission for a fairness analysis. The Executive Director will convene a working group to utilize the compensation recommendations to prepare a policy on agency salary structure and a final product which evaluates the salary of each position and employee at the Commission in an objective manner.

Competitive Procurement Exception:

The Commission adopted 801 CMR 21.00 (the Commonwealth's competitive procurement regulations), as well as best practices established through 801 CMR 21.00. Page 14 of the Commission's 2013 annual report documents this adoption:

“The Commission is exempt from public procurement regulations, but early on voted to adopt the Commonwealth's Administration and Finance procurement regulations (801.CMR.21.00). As such, the Commission offers procurements to the public through the state supported CommPASS system, and follows the procedures and best practices inherent in the procurement regulations. “
(The CommPASS system has been replaced by CommBuys)

The Commonwealth's Operational Services Division (OSD) is responsible for implementing 801 CMR 21.00 for Executive Branch agencies. OSD has put together a handbook for conducting best value procurements and the Commission's finance staff follows this handbook when conducting procurements as it is considered a best practices document for state agencies. A major requirement of the handbook is to utilize statewide contracts when available. On page 11 of the handbook, Section B (i) states the following:

“Executive Branch Departments must utilize established statewide contracts for the purchase of commodities and services. Specifically, Executive Departments are required to use OSD's statewide contracts, including designated statewide contracts, if available, for their specific

commodity and service needs. Exceptions only will be permitted with prior written approval from the Assistant Secretary for Operational Services or designee. The process Departments must follow when requesting this approval is explained in Section III, A, ii.”

Section III, A of OSD’s handbook deals with Authorized methods for Acquiring Goods and Services and it states:

“Competitive procurements may result in two categories of contracts: 1) statewide contracts (including designated contracts), and 2) limited user contracts (that may be either single- or multi-user contracts). Other than competitive procurement exceptions, transactions will fall under one of these categories.

In total, there are six authorized methods of acquiring goods and services subject to 801 CMR 21.00:

- Acquisitions through statewide contracts;
- OSD-authorized exceptions, in writing, to use of statewide contracts;
- Use of another Department’s contract (non-statewide/limited user);
- Issuance of an RFR (resulting in a limited user contract);
- Due Diligence postings that require OSD approval; and
- Acquisitions that fall under procurement exceptions.”

The Commission is not an Executive Branch agency, therefore, any exception requests to the use of statewide contracts would need to come to the Commission. Executive Branch agencies must submit the following information in their request to the Assistant Secretary of the Operations Services Division:

- The statewide contract (by name and number) for which an exception is sought;
- A detailed explanation of why the statewide contract does not meet the Department’s needs. If a request for quote was issued and no acceptable responses were received, include a screenshot of the Summary tab of the bid in COMMBUYS, as well as copies of all attachments

Request:

We are seeking an exception from utilizing statewide contract PRF61: Management Consultants, Program Coordinators and Planner services to procure a fairness salary analysis. Instead, we would like to work with our partners at LEAF and the Pacesetters program to identify diverse vendors capable of conducting the analysis and solicit bids from the identified vendors. By making this procurement only available to diverse partners at both the Pacesetters program and LEAF supported entities, the Commission would be making an intentional investment in expanding the MGC’s DEI programs.

We believe there are vendors on the statewide contract able to produce the salary analysis, however, we cannot guarantee that utilizing PRF61 would result in awarding the engagement to a diverse vendor (a minority owned, woman owned or veteran owned business). By working with our partners at LEAF and Pacesetters, we can make sure that we only solicit bids from diverse vendors capable of performing the services we are seeking and make an intentional investment in the diverse vendor community.

If after consulting with LEAF and Pacesetters we are unable to identify diverse vendors to solicit competitive quotes from, we can then utilize PRF61.

TO: Chair Cathy Judd-Stein, Commissioner Gayle
Cameron, Commissioner Eileen O'Brien and
Commissioner Brad Hill

FROM: Karen Wells, Executive Director and Trupti Banda,
Human Resources Manager

CC: Derek, Lennon, CFAO

DATE: November 18, 2021

RE: Update to Use/Lose Vacation Carryover Policy for Calendar Year 2022

This year, due in large part to restrictions on travel over the course of the COVID-19 pandemic, HRD has announced a plan to increase the amount of vacation time that employees are permitted to carryover from Calendar Year 2021 into Calendar Year 2022.

Under normal circumstances, employees would be permitted to carry vacation hours that were accrued only in 2020 and 2021 into the new calendar year. This represents two years' worth of employee vacation accrual.

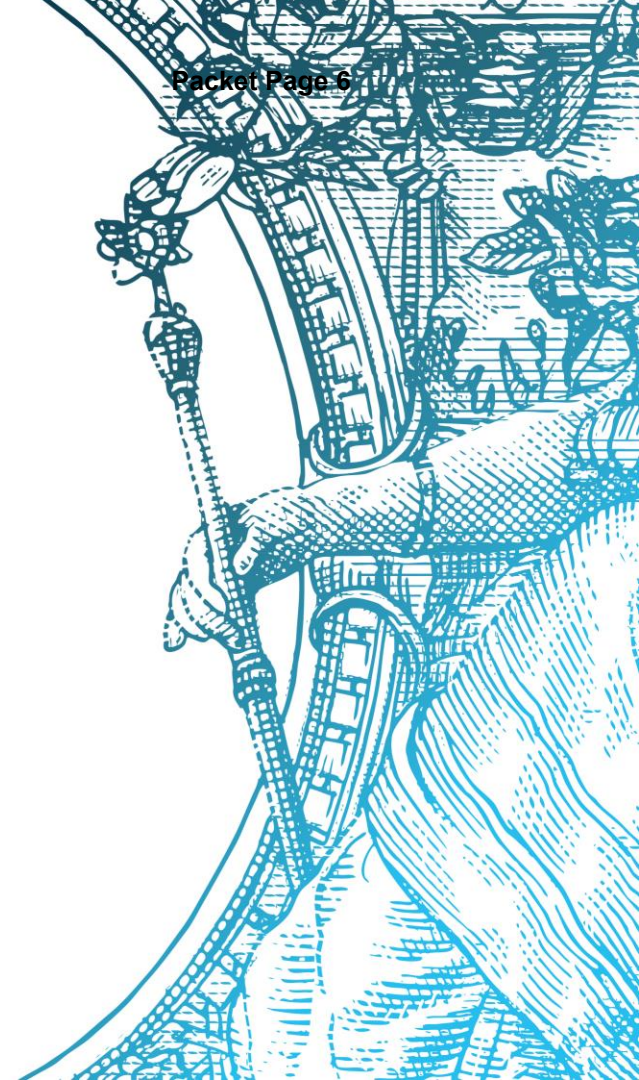
This HRD policy adjustment for Calendar Year 2022 allows employees to carryover hours accrued in 2019, 2020, and 2021, which represents three years' worth of employee vacation accrual, into the new calendar year on January 1, 2022. HRD has created a schedule of new deadlines for use of this accrued time off, which will allow the carryover policy to return to normal in Calendar Year 2024.

We are recommending that the Commission adopt the same adjustment to the vacation carryover policy that HRD has implemented. We have employees who have had challenges using vacation time during the last year and we believe it would be in the best interests of the agency and its employees to allow for this adjustment.

Q3 2021 Report

Massachusetts Gaming Commission

November 18, 2021



REVENUE, TAXES, LOTTERY & COMPLIANCE



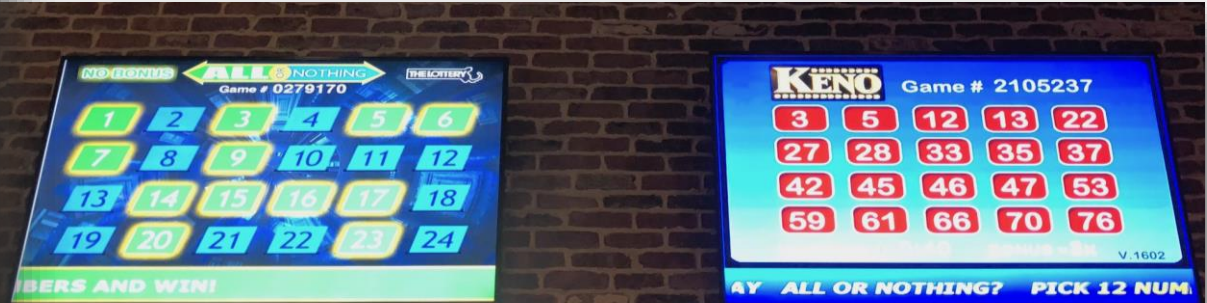
Q3 2021 Gaming Revenue & Taxes

Month	Gaming Revenue	MA Taxes
July	\$21,933,552	\$5,483,388
August	\$21,252,673	\$5,313,168
September	\$20,206,647	\$5,051,662
TOTAL	\$63,392,873	\$15,848,218

Lottery



Month	Lottery Sales at MGM Springfield
July	\$93,554
August	\$113,768
September	\$77,931



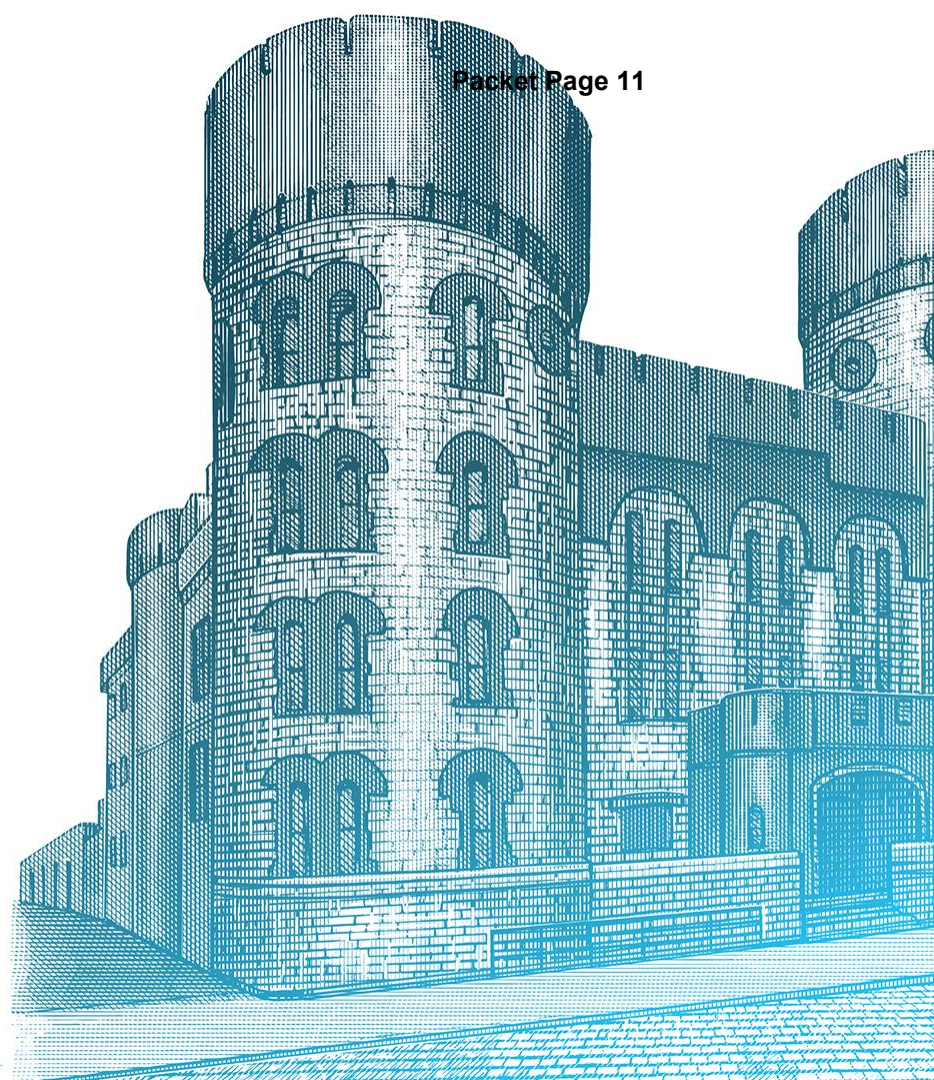
Compliance



Month	Minors intercepted in Gaming Area and prevented from Gaming	Minors intercepted gaming	Minors intercepted consuming alcohol	Minors prevented from accessing the Gaming Area
Jul	8	1	0	28
Aug	7	1	0	19
Sep	3	0	0	18

- Average time in Gaming Area – 17.25 minutes.
- Longest time in the Gaming Area – 1 hour 40 minutes.
- All underage found gaming, were between the ages of 18-21. Others intercepted in the gaming area without gaming were different ages up to 20 and mainly with parents.

SPEND UPDATE



Q3 2021 Operating Spend

Diversity

Q3 Operating Spend



\$9.9M identified in Biddable Spend

\$0.6M in payments to Diversity Suppliers (6%)

BEST EFFORTS EVENT LIST

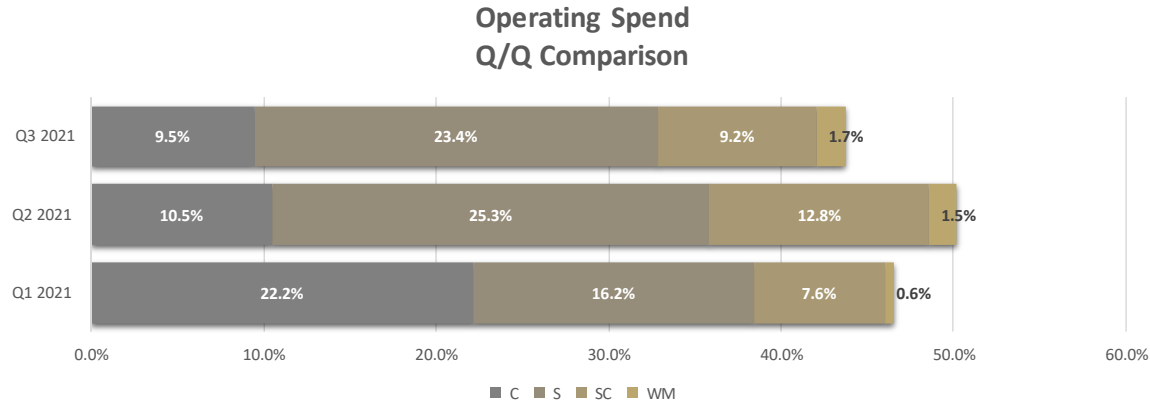
- 07/28 – CWE-WBENC Corporate Council Meeting
- 9/07 – LEAF Meet and Greet
- 09/30 – GNEMSDC – Bear’s Den Competition

Notes:

- Total Biddable Spend for Q3 2021 was \$9.9M and total payments to Diversity Suppliers were \$.6M or 6%.
- Diversity spend goals defined as:
 - WBE – 15% of Biddable Spend
 - MBE – 10% of Biddable Spend
 - VBE – 2% of Biddable Spend

Q3 2021 Operating Spend

Local



\$5.4M in payments to Mass. Suppliers (43.8%)

\$4.2M in payments to Western Mass (34.3%)

Notes:

- Total Spend for the Q3 2021 was \$12.3M
- Spend segments defined as:
 Commonwealth (C)
 Springfield (S)
 Surrounding Communities (SC)
 Western Massachusetts (WM)

EMPLOYMENT



Employment Numbers

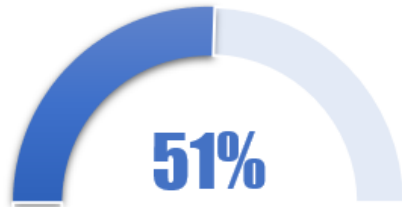
	Employees	Full-Time	Part-Time
Totals	1,124	802	322
% of Total	100%	71%	29%

Q3 2021	Goals	Q4 2020 %	Q4 2020 TOTAL # OF EMPLOYEES	Q1 2021 %	Q1 2021 TOTAL # OF EMPLOYEES	Q2 2021 %	Q2 2021 TOTAL # OF EMPLOYEES	Q3 %	Q3 2021 TOTAL # OF EMPLOYEES
MINORITY	50%	54%	507	53%	480	52%	517	51%	571
VETERAN	2%	8%	64	7%	67	7%	64	6%	64
WOMEN	50%	42%	379	41%	373	42%	402	43%	483
SPRINGFIELD RESIDENTS	35%	38%	361	37%	335	37%	360	37%	414
WESTERN MA RESIDENTS		74%	679	74%	661	75%	723	75%	847
MA RESIDENTS		76%	692	76%	677	77%	737	77%	863
TOTAL # OF GAMING ESTABLISHMENT EMPLOYEES			891		973		1,034		1,124
FULL TIME			771		777		774		802
PART TIME			91		115		128		172
ON CALL			29		81		132		150

10 *Includes MGM Springfield team members employed at the MassMutual Center.

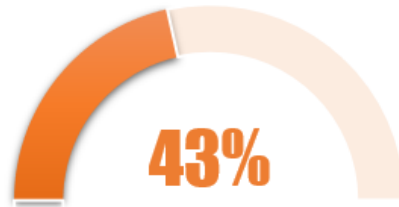
Progress on Hiring Goals

HCA Minimum Requirements



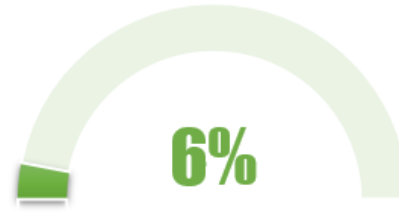
Minority

Goal: 50%



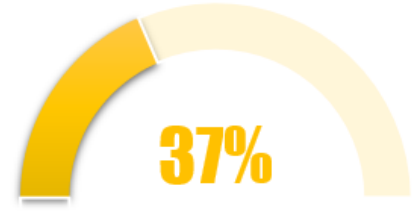
Women

Goal: 50%



Veteran

Goal: 2%



Springfield Resident

Goal: 35%

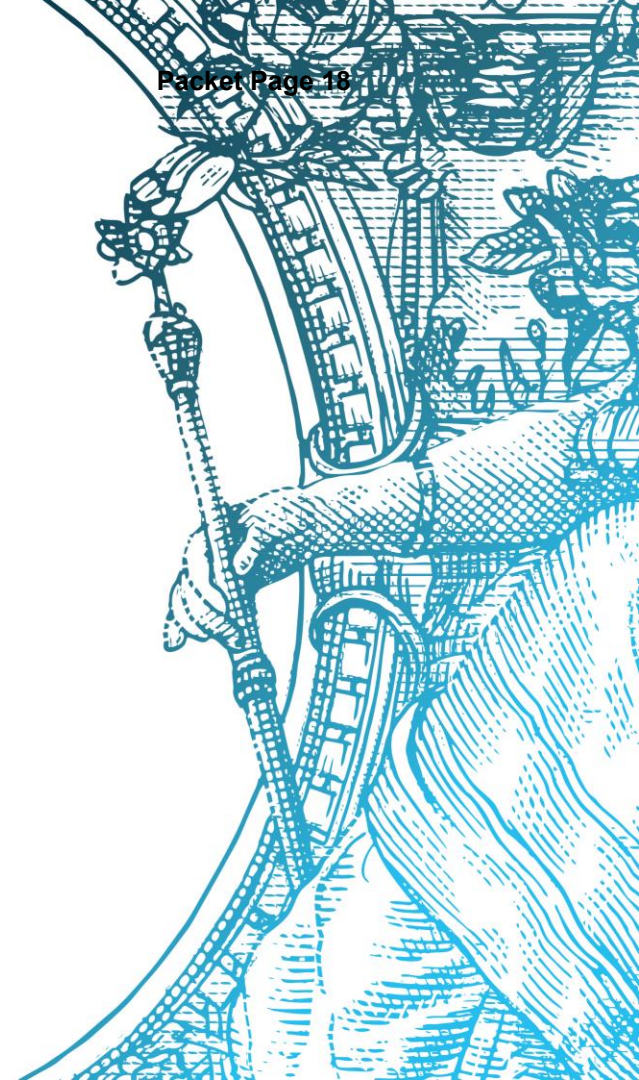
Represents 1,124 active employees as of 9/30/2021 (Does not include Campus Tenants, Vendors)

Workforce

- Continued recalls for returning amenities
- Property Hiring Events
- MassHire Virtual Career Events
- HCC Culinary School Trainings
- Creative incentives



COMMUNITY OUTREACH, SPECIAL EVENTS & DEVELOPMENT



Community Outreach & Special Events

\$60k Community Grant Presentation



Food Drive to benefit Springfield's Open Pantry



14
Habitat for Humanity Build for Springfield Family



Special Events



Poker Reopening!

Sports Lounge
Opening on MGM
Springfield's 3rd
Birthday!





31 Elm – City officially announces selection of local company Fontaine Brothers as contractors



Armory – ROAR! Returned and has been in full swing throughout Q3.



Return of Entertainment

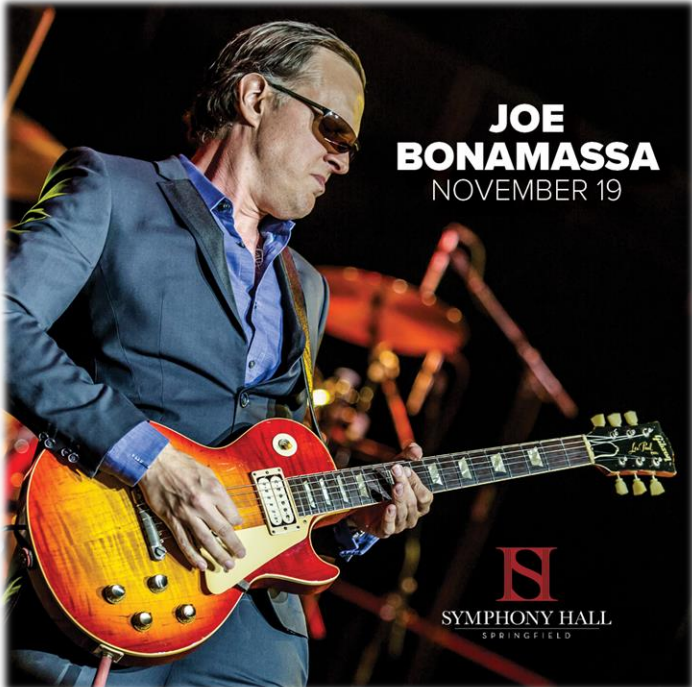


Return of Entertainment

Packet Page 23

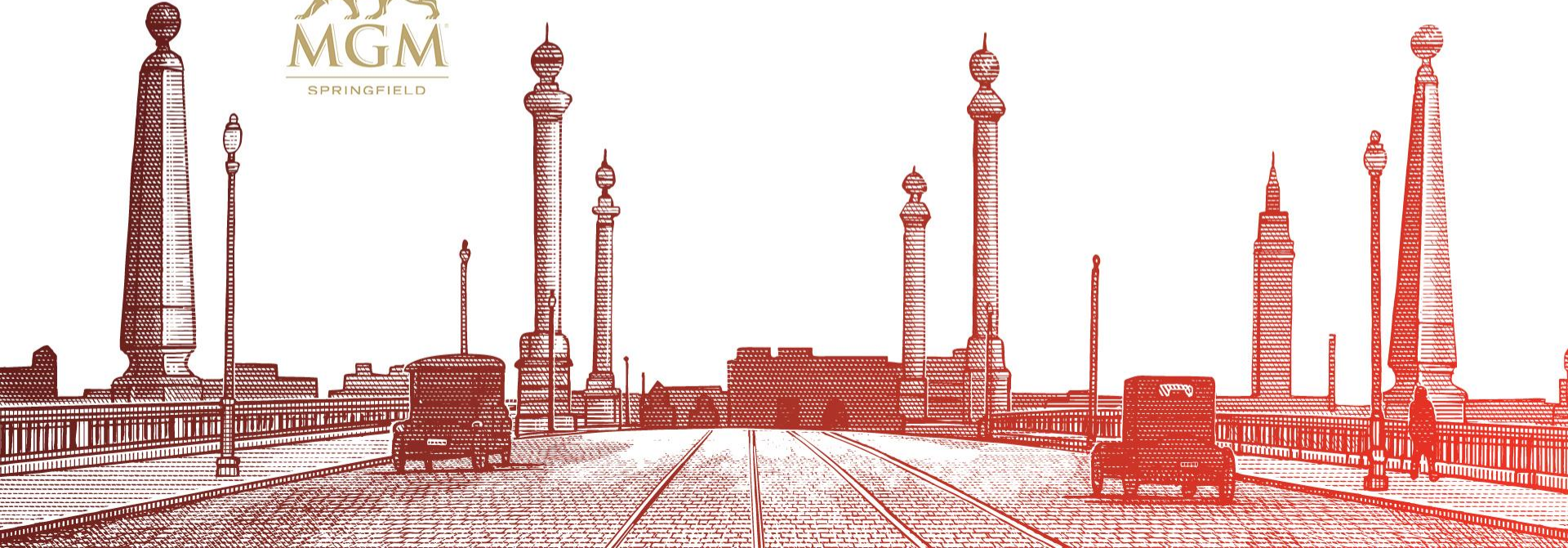


Upcoming Shows



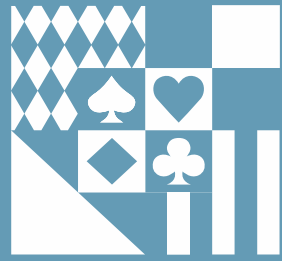
MORE TO COME!

THANK YOU



Plainridge Park

Q3 2021 Report

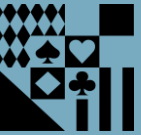


Gaming Revenue and Taxes



Year	Quarter	Net Slot Revenue	State Taxes	Race Horse Taxes	Total Taxes
2020	Q1	\$27,540,704	\$11,016,281	\$2,478,663	\$13,494,944
	Q2	\$0	\$0	\$0	\$0
	Q3	\$27,857,923	\$11,143,169	\$2,507,213	\$13,650,382
	Q4	\$26,855,516	\$10,742,206	\$2,416,996	\$13,159,202
	Total	\$82,254,143	\$32,901,656	\$7,402,872	\$40,304,528
2021	Q1	\$31,572,862	\$12,629,145	\$2,841,558	\$15,470,703
	Q2	\$36,329,149	\$14,531,660	\$3,269,623	\$17,801,283
	Q3	\$37,682,927	\$15,073,171	\$3,391,463	\$18,464,634
	Q4				
	Total	\$105,584,938	\$42,233,976	\$9,502,644	\$51,736,620

Lottery Sales



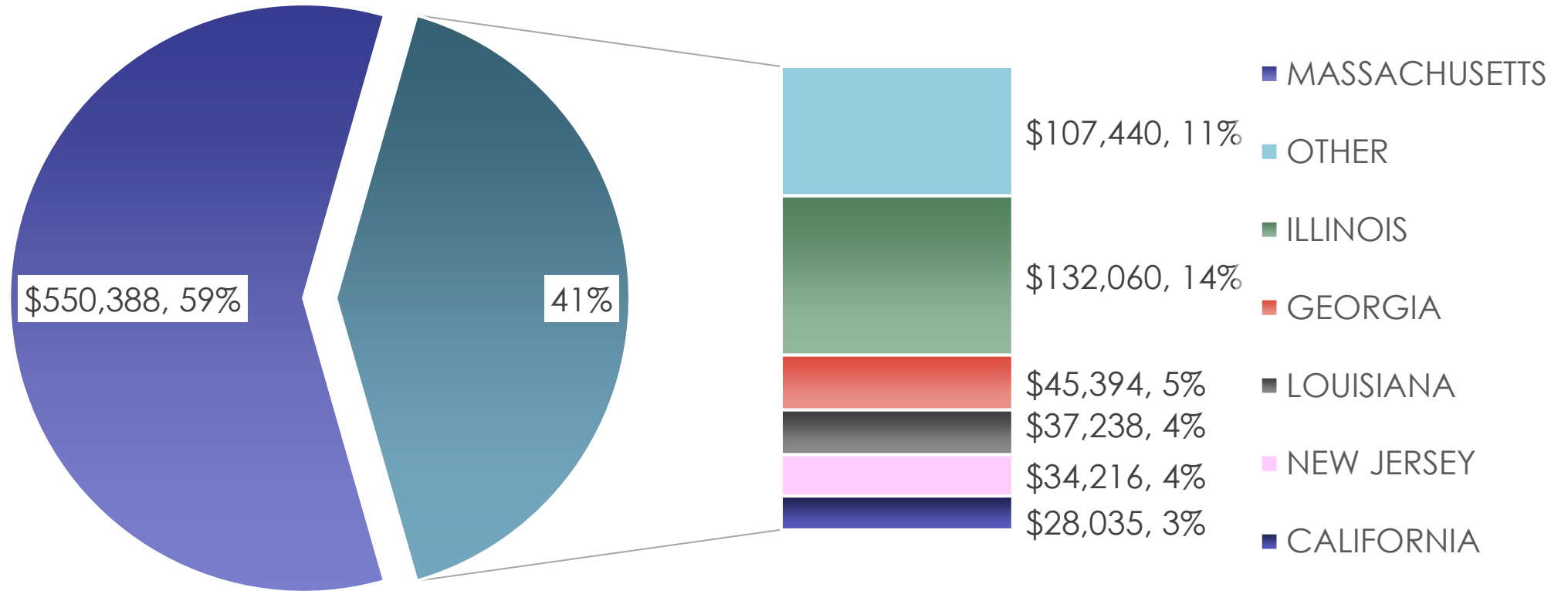
Quarter	2021	2020	\$ Difference	% Difference
Q1	\$458,540	\$715,250	(\$256,710)	-35.9%
Q2	\$578,739	\$0	\$578,739	100.0%
Q3	\$582,981	\$259,890	\$323,091	124.3%
Q4		\$354,201		
Total	\$1,620,260	\$1,329,341	\$290,919	21.9%

- PPC currently has five instant ticket machines and four online terminals
- Prior to the casino opening the property had one instant ticket machine and two online machines

Spend by State

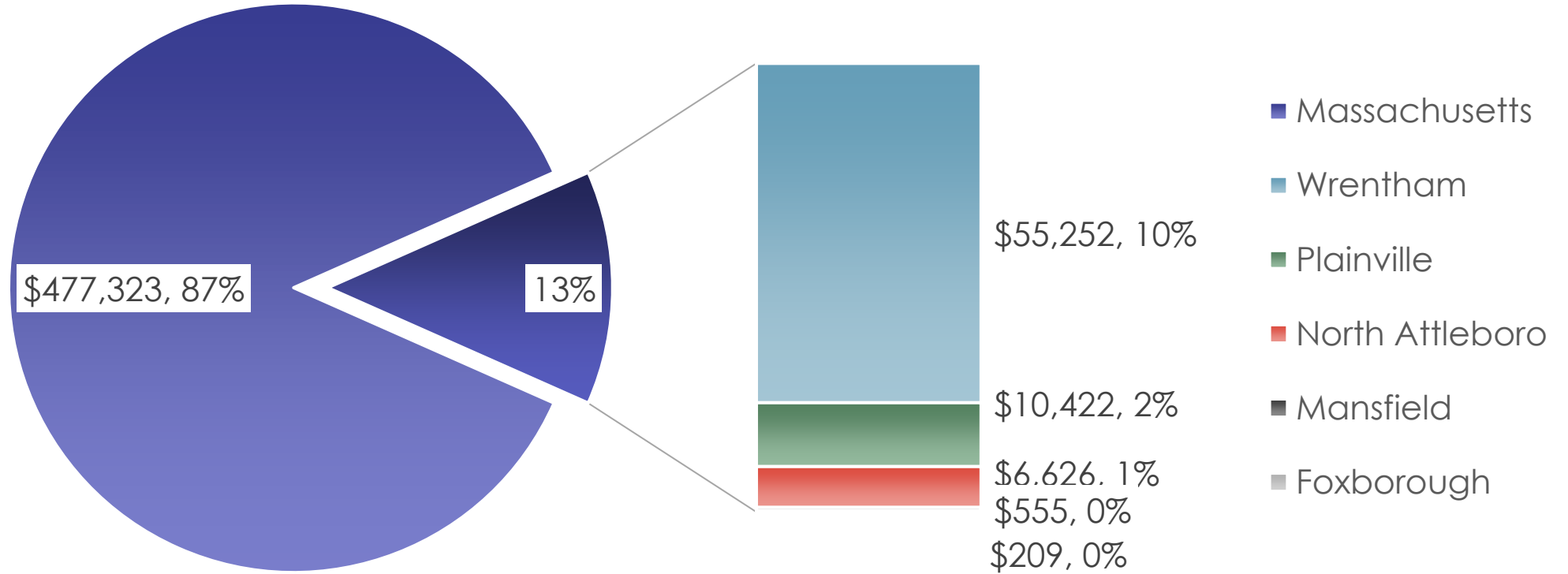


Q3 2021 Total Qualified Spend By State





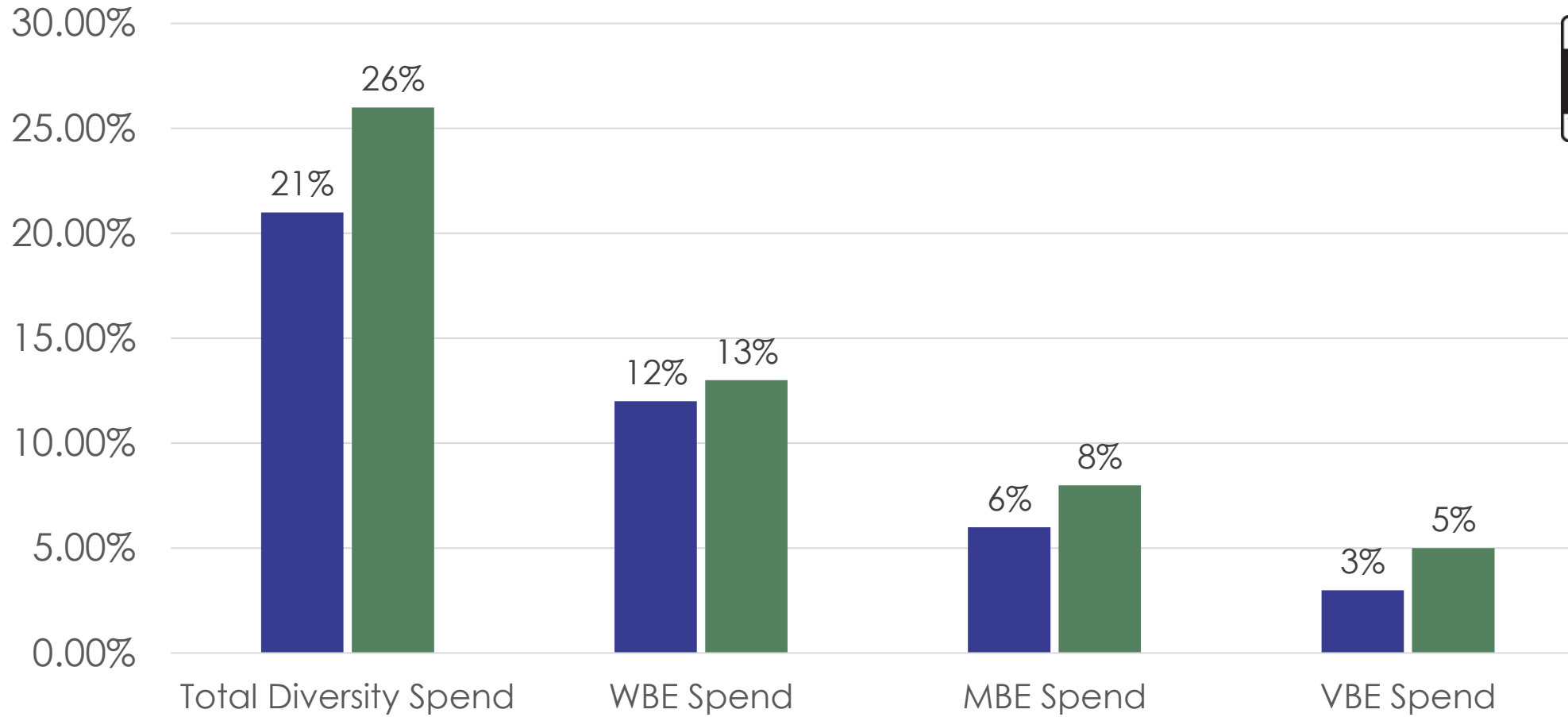
Q3 2021 Massachusetts vs Host & Surrounding Community Qualified Spend



Vendor Diversity



Q3 2021 vs. Goal



■ Goal ■ Q3 2021 Spend

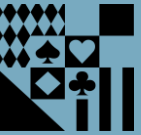
Diverse Spend



Category ¹	Q3 2021	Q2 2021	\$ Difference	% Difference
WBE	\$120,157	\$134,026	(\$13,869)	-10.3%
MBE	\$72,682	\$31,719	\$40,963	129.1%
VBE	\$51,084	\$22,268	\$28,816	129.4%
Total Diverse Spend	\$243,923	\$188,013	\$55,910	29.7%
Qualified Spend	\$934,771	\$699,463	\$235,308	33.6%

¹ Includes vendors that are certified in multiple diversity categories. Spend is reported in all qualified categories.

Compliance

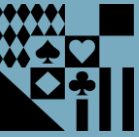


Month	Prevented from Entering Gaming Establishment			Expired, Invalid, No ID	Fake ID	Minors and Underage Escorted from the Gaming Area	Minors and Underage Gambling at Slot Machines	Minors and Underage Consuming Alcoholic Beverages
	Total	Minors ¹	Underage ²					
July	142	6	32	104	0	0	1	0
August	81	11	18	52	0	0	0	0
September	112	3	20	60	0	0	0	0
Total	307	21	70	216	0	0	1	0

¹ Person under 18 years of age

² Person 18-21 years of age

Employment¹: All Employees²



Employee Category	Percentage Goal	Total # of Employees in Category	Q3-21 Actual Percentage of Total Employees	Q2-21 Actual Percentage of Total Employees
Diversity	15%	86	25 %	24 %
Veterans	2%	19	6 %	6 %
Women	50%	135	40 %	40 %
Local ³	35%	107	31 %	40 %
MA Employees		218	64%	65%

¹ All employees referenced in this slide were current as of Q3 2021

² Total number of employees Q3 2021: 340

³ Local includes Attleboro, Foxboro, Mansfield, North Attleboro, Plainville & Wrentham

	Employees	Full-Time	Part-Time	Seasonal
Total	340	233	97	10
% of Total	100%	69%	29%	2%

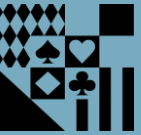


Employment¹: Supervisor and Above²

Employee Category	Total # of Employees in Category	Actual Percentage of Total Employees
Diversity	21	28 %
Veterans	2	3 %
Women	26	35 %

¹ All employees referenced in this slide were current as of Q3 2021

² Total number of Supervisor and Above Q3 2021: 75

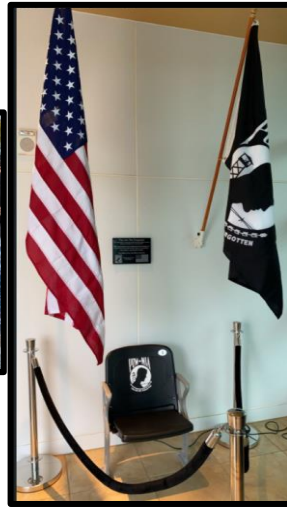


PPC Cares: Community and Team



POW-MIA

- Rolling Thunder
- Missing in Action dedications



Spirit of Massachusetts



IAGR Boston 2021

- Disrupting the Regulator: Sparking Innovation in Regulatory Practice



Awards and Recognition

- National Council on Problem Gambling's Annual Awards
- Quarterly GameSense Champion Awards



2022 COMMUNITY MITIGATION FUND GUIDELINES
BD-22-1068-1068C-1068L-68403
Appendix A - Table of Contents

1.0 Community Mitigation Fund Grant Program 1

1.1 When Is the Application Deadline? January 31, 2022 1

1.2 Who Can Apply?..... 1

1.3 What Cannot Be Funded? 2

1.4 How Much Funding Will Be Available?..... 2

1.5 Joint Applications..... 3

2.0 Grant Categories 5

2.1 2015/2016 Reserve Grants 5

2.2 Specific Impact Grants..... 5

2.3 Public Safety Grants 6

2.4 Community Planning Grants..... 6

2.5 Transportation Planning Grants..... 8

2.6 Transportation Construction Grants 9

2.7 Workforce Development Grants 9

2.8 Tribal Gaming Technical Assistance Grants 11

2.9 Emergency Mitigation Grants 12

3.0 Application Requirements 12

3.1 What Should Be Included in the Applications? 12

3.2 How Will the Commission Decide on Applications?..... 12

3.3 When Will the Commission Make Decisions?..... 14

3.4 Authorization to Approve Requests for Changes to Components of Grant Awards 14

3.5 Waivers and Variances 14

3.6 Rescission of Grants 15

3.7 Who Should be Contacted for Questions?..... 15

3.8 Where Should the Application be Sent?..... 15

2022 COMMUNITY MITIGATION FUND GUIDELINES BD-22-1068-1068C-1068L-68403

1.0 Community Mitigation Fund Grant Program

The Expanded Gaming Act created the Community Mitigation Fund (“CMF”) to help communities and other entities offset costs related to the construction and operation of a gaming establishment. For 2022, the following grant categories are available for communities:

- Specific Impact Grant;
- Public Safety Grant;
- Community Planning Grant;
- Transportation Planning Grant;
- Transportation Construction Grant;
- Workforce Development Grant;
- Tribal Gaming Technical Assistance Grant; and
- Emergency Mitigation Grant.

Each of these categories is further described in Section 2.0 of these Guidelines.

1.1 When Is the Application Deadline? January 31, 2022

1.2 Who Can Apply?

M.G.L. c. 23K, § 61 and the Massachusetts Gaming Commission’s (Commission) regulations identify a range of eligible entities including, but not limited to:

- communities in the vicinity of the gaming establishment including: host and surrounding communities; each community that entered into a nearby community agreement; any community that petitioned to be a surrounding community; and each community that is geographically adjacent to a host community;
- water and sewer districts in the vicinity of a gaming establishment;
- local and regional agencies involved in education, transportation, infrastructure, housing and environmental issues; and
- public safety agencies, including the office of the county district attorney, police, fire, and emergency services.

Applications involving a mitigation measure impacting only one community shall only be submitted by the authorized representatives of the community itself. Governmental entities within communities such as redevelopment authorities or non-regional school districts shall

submit applications through such community rather than submitting applications independent of the community.

Private non-governmental parties may not apply for Community Mitigation Funds. Governmental entities may apply to the Commission for funds to mitigate impacts provided that the funding is used for a “public purpose” and not the direct benefit or maintenance of a private party or private parties. The Commission strongly encourages applicants to ensure that the impacts are directly related to the gaming facility and that the public purpose of such mitigation is readily apparent. The Commission will not fund any applications for assistance for non-governmental entities.

Please note that as stated by the Commonwealth’s Comptroller’s Office: “The Anti-Aid Amendment of the Massachusetts Constitution prohibits ‘public money or property’ from aiding non-public institutions.... Article 46 has been interpreted to allow the expenditure of public funds to non-public recipients solely for the provision of a ‘public purposes’ [sic] and not for the direct benefit or maintenance of the non-public entity.”

Any governmental entity seeking funding for mitigation is required to ensure that any planned use of funding is in conformity with the provisions of the Massachusetts Constitution and with all applicable laws and regulations, including but not limited to, Municipal Finance Law and public procurement requirements.

1.3 What Cannot Be Funded?

2022 Community Mitigation Fund may not be used for the mitigation of:

- impacts that are projected or predicted but that are not occurring or have not occurred by January 31, 2022;
- impacts that are the responsibility (e.g. contractual, statutory, regulatory) of parties involved in the construction and operation of gaming establishments;
- the cost of the preparation of a grant application;
- requests related to utility outages, such as the mitigation of business interruptions; and
- other impacts determined by the Commission.

Please note that the Commission may determine to expand the eligible uses of funds for the 2022 program or other future programs. The Commission will also consult with mitigation advisory committees established in M.G.L. c. 23K in determining such uses.

1.4 How Much Funding Will Be Available?

The Commission has determined a target spending amount of \$21.0 million for fiscal year 2022. If the 2022 target is met, the CMF would still have an estimated unallocated balance of \$2.1 million from funds generated by December 31, 2021.

Allocation by Region

The Commission intends to allocate 2022 CMF funding based on the proportion of funds paid into the CMF from the taxes and fines generated by the MGM Springfield and Encore Boston Harbor facilities.¹ These include revenues generated during calendar year 2021 as well as unspent monies from previous years.

For CY 2022, the Commission plans to allocate \$21.0 million between the two regions and the Category 2 facility as follows:

- Region A \$12.55 million
- Region B \$7.95 million
- Category 2 \$0.5 million

Category 2 grants will be split equally between Region A and Region B. If the \$0.5 million is not necessary for Category 2 grants, more spending would be available for Region A and Region B.

The Commission determined in grant year 2020, that any unused funds allocated to each Category 1 Region will be set aside for that Region for a period of three years. After the three-year period, the funds shall be allocated back into a combined fund for all regions and for Category 2 impacts. It is the intention of the Commission to count any allocated regional balances first toward 2022 spending targets. The following is the status of the unused funds by calendar year:

	Region A	Region B
2018		\$ 0
2019	\$0	\$ 2,681,172
2020	\$4,235,999	\$2,411,158
Total	\$4,235,999	\$5,092,330

1.5 Joint Applications

The Commission continues to support regional approaches to mitigation needs and recognizes that some mitigation requires the commitment of more than one community. The 2022 Guidelines allow multiple communities to submit a joint application. The application must specify which community will be the fiscal agent for the grant funds. All communities will be held responsible for compliance with the terms contained in the grant.

To further regional cooperation, the applications for Transportation Planning Grants and Community Planning Grants that involve more than one community for the same planning

¹ These Guidelines do not describe revenue estimates from the potential Tribal facility in Taunton or the participation of a Region C facility, as no Region C license or Tribal facility has yet been fully authorized.

projects may request grant assistance that exceeds the limits specified in these Guidelines. The additional funding may be requested only for the costs of a joint project being proposed by more than one community, not similar projects. Eligible communities may request additional funding for joint projects based on the below table.

	Base Funding	Regional Planning Incentive Award	Total Allowable Request
Community Planning Projects Involving Two (2) Communities	\$100,000 for each community	\$10,000	\$100,000 X 2 communities <u>\$200,000 + \$10,000 = \$210,000</u>
Community Planning Project Involving Three (3) or More Communities	\$100,000 for each community	\$15,000*	\$100,000 X 3 communities <u>\$300,000 + \$15,000 = \$315,000</u>
Transportation Planning Projects Two (2) Communities	\$200,000 for each community	\$25,000	\$200,000 X 2 communities <u>\$400,000 + \$25,000 = \$425,000</u>
Transportation Planning Projects Three (3) or more Communities	\$200,000 for each community	\$50,000*	\$200,000 X 3 communities <u>\$600,000 + \$50,000 = \$650,000</u>

*The maximum Community Planning Regional Incentive is \$15,000 and the maximum Transportation Planning Regional Incentive is \$50,000 regardless of the number of communities participating.

Please note that communities can apply for a portion of the planning grants for single community applications while allocating a portion for joint projects. For example, a community could apply for one \$100,000 base Transportation Planning Grant leaving \$100,000 for a joint application involving another community. In this example the community could be eligible for \$100,000 for the single community project, \$100,000 for a joint project, and a \$25,000 Regional Planning Incentive Award amount shared with a second community.

Applications seeking a Regional Planning Incentive Award amount shall allocate at least fifty percent (50%) of the base funding level towards a joint project. For example, at least \$100,000 of a \$200,000 Transportation Planning Grant seeking an additional Regional Planning Incentive Award amount shall be for the joint project with another community. No community is eligible for more than one Transportation Regional Planning Incentive Award. No community is eligible for more than one Community Regional Planning Incentive Award.

2.0 Grant Categories

The following are the grant categories for the 2022 CMF. Applicants may apply for grants in more than one category; however, any individual project may only be included under one grant category.

2.1 2015/2016 Reserve Grants

In 2015 and 2016, a \$100,000 Reserve was established for communities near the gaming establishments. These grants are no longer available for use. These reserve awards expired December 31, 2021.

2.2 Specific Impact Grants

Specific Impact Grants may be used only to mitigate impacts that either have occurred or are occurring as of the January 31, 2022 application deadline.

No application for a Specific Impact Grant shall exceed \$500,000 unless a waiver has been granted by the Commission as outlined in Section 3 of these Guidelines. Communities may apply for more than one Specific Impact Grant, but the total of all Specific Impact Grants may not exceed \$500,000.

The Commission has determined that the funding of unanticipated impacts will be a priority. Thus, the Commission will review funding requests in the context of any host or surrounding community agreement to help determine funding eligibility. The CMF is not intended to fund the mitigation of impacts already being funded in a Host or Surrounding Community Agreement.

Allowable impacts for funding are as follows:

- **Operational Impacts of Gaming Facilities:** The Commission will make funding available to mitigate gaming facility operational impacts that are being experienced or were experienced by the January 31, 2022 application deadline.

Operational impacts include: public safety impacts on the community; increased demand on community and regional water and sewer systems; impacts on the community from storm water run-off, associated pollutants, and changes in drainage patterns; stresses on the community's housing stock including any projected negative impacts on the appraised value of housing stock due to a gaming establishment; any negative impact on local, retail, entertainment, and service establishments in the community; increased social service needs including, but not limited to, those related to problem gambling; and demonstrated impact on public education in the community.

Although these definitions include the types of operational impacts that may be funded, it is not limited to those. The determination will be made by the Commission after its review.

2.3 Public Safety Grants

Public Safety Operational Costs: Grants for public safety operational costs shall not exceed \$200,000 per community, unless a waiver is granted by the Commission in accordance with the waiver requirements outlined in Section 3. All applications for Public Safety Grants must identify an operational impact of the gaming facility that the grant is designed to address. For 2022, the Commission is highlighting the availability of CMF assistance for police training including Implicit Bias Training and De-escalation Training that will support the Police Reform Law. All applications for public safety personnel or other public safety operational costs, including relevant training, must demonstrate that CMF funds will supplement and not supplant historical operations funding. Grant funds shall not be used to pay for Gaming Enforcement Unit personnel or operations costs specified or anticipated in the memoranda of understanding between the Massachusetts State Police and host communities' police departments. Applicants must include detailed hourly estimates for the costs of any public safety personnel costs. Applicants should include the most relevant information describing historical service or staffing levels ("baseline information") to demonstrate that all funds will be used to supplement existing efforts. For example, if a community requests funding for additional staffing for a specific time period, the application should include information about the staffing levels that have been used for that same time period during the license term of the gaming facility. In describing any historical service levels, applicants should identify any time limited or "pilot" type operations which may have a bearing upon any determination of how the baseline service levels should be calculated. Applicants are requested to provide as much detailed baseline information as practicable to help the Commission in its review.

Please note that any 2022 Public Safety Grants shall have a duration of only one year from the date of execution ("Effective Date"), unless otherwise determined by the Commission. Any grant awards issued in **2022 SHOULD NOT** be considered to provide any guarantee or indication of future funding.

2.4 Community Planning Grants

Community Planning Grants are available for all communities that were eligible to receive Reserve Grants. No application for a Community Planning Grant shall exceed \$100,000. Applications involving transportation planning or design are **not** eligible for the 2022 Community Planning Grant. Communities requesting transportation planning should instead apply for Transportation Planning Grant funds.

Community Planning Grants may include: programs to provide technical assistance and promotion for groups of area businesses; marketing and outreach efforts to identify local opportunities for casino patrons; tourism plans to attract casino patrons to nearby attractions; and other community planning efforts designed to either take advantage of the proximity to the casino and the large influx of patrons to the area or allow a community to better compete with gaming establishments for customers.

For the purposes of the Community Planning Grant, the Commission has determined that the presence of a gaming establishment likely has some negative impact on local businesses. The

SEIGMA Patron and License Plate Survey Report for MGM Springfield issued on October 15, 2019 tabulated the percentage of reallocated spending associated with MGM Springfield. Reallocated spending is spending on goods and services which would have occurred had the casinos never opened, but which did not occur because an individual chose to spend their money at the casino instead. The main areas where monies were reallocated were transportation, housing, retail items, hotels and travel, restaurants and bars, recreation and non-live entertainment and live entertainment. Attempting to quantify these impacts on any given business or community is exceptionally challenging, but given the survey responses, it is reasonable to conclude that reallocation of funds is likely to have an impact on local businesses in those communities that are eligible to apply for a Community Planning Grant.

The Commission also realizes that the gaming establishments can provide significant benefits to local communities and certain businesses. Casinos provide thousands of jobs with their attendant salaries and benefits; they spend millions of dollars each year purchasing supplies, equipment, and services; and they bring thousands of visitors each day to the facilities that otherwise would not be present in the area. These benefits present opportunities for communities to leverage the presence of casinos and their employees and patrons to: increase business opportunities to provide goods and services; attract casino patrons to increase tourism; attract casino employees to live in local communities; provide economic development opportunities; and other ancillary benefits. The Commission understands that the lack of local funds to pursue these types of efforts hampers communities' abilities to take advantage of casino related benefits. These Community Planning Grants are designed, in part, to address these "lost opportunity costs."

The Community Planning Grant application must identify the impact associated with the casino. Since the Commission has determined that there are both positive and negative impacts associated with the casinos as identified above, applicants for Community Planning Grants do not need to go to extraordinary lengths to **quantify** the impacts of the casino. The planning project, however, must still be designed to mitigate the identified impact.

Eligible planning projects must have a defined area or issue that will be investigated as well as a clear plan for implementation of the results. The planning project must be clearly related to addressing issues or impacts directly related to the gaming facility. Applicants will be required to submit a detailed scope, budget, and timetable for the planning effort prior to funding being awarded. Each community will also need to provide detail on what it will contribute to the project such as in-kind services or local funds.

Communities that utilize this 2022 Community Planning Grant are not prohibited from applying for funding for any specific mitigation request.

Limitations/Specific Requirements on Community Planning Applications

The Commission will fund no application for any municipal employee for more than two years. The CMF will not pay the full cost of any municipal employee. The municipality would need to provide the remaining amount of any employee cost and certify that all such expenses are casino related. For non-personnel costs, each community applying for planning funds must also

provide detail on what it will contribute to the planning project such as in-kind services or planning funds.

The Commission will evaluate requests for community planning funds after taking into consideration input the applicant has received from the local Regional Planning Agency ("RPA") or any such interested parties. Although there is no prerequisite for using RPA's for planning projects, consultation with RPA's is required to enable the Commission to better understand how planning funds are being used efficiently across the region of the facility. Please provide details about the applicant's consultation with the RPA or any such interested parties. Applicants should provide detail regarding consultations with nearby communities to determine the potential for cooperative regional efforts regarding planning activities.

2.5 Transportation Planning Grants

The Commission will make funding available for certain transportation planning activities for all communities eligible to receive funding from the CMF.

No application for a Transportation Planning Grant shall exceed \$200,000.

Eligible transportation planning projects must have a defined area or issue that will be investigated as well as a clear plan for implementation of the results.

Eligible expenses to be covered by the Transportation Planning Grant include, but not necessarily limited to:

- Planning consultants/staff
- Data gathering/surveys
- Data analysis
- Design
- Engineering review/surveys
- Public meetings/hearings
- Final report preparation

The transportation planning projects must be clearly related to addressing transportation issues or impacts directly related to the gaming facility. Applicants will be required to submit a detailed scope, budget, and timetable for the transportation planning effort prior to funding being awarded. Transportation Planning Grant funds may be sought to expand a planning project begun with reserve funds or to fund an additional project once the reserves have been exhausted.

In addition to the specific impact grant factors further defined in section "[How Will the Commission Decide on Applications?](#)", the Commission will also consider whether the applicant demonstrates the potential for such transportation project to compete for state or federal transportation funds.

Applicants may, but are not required, to include a description of how the project meets the evaluation standards for the Fiscal Year 2023 TIP criteria for the Boston MPO Region or the Pioneer Valley Planning Commission's transportation evaluation criteria, or other regional transportation project evaluation standard, whichever may be most applicable.

2.6 Transportation Construction Grants

The Commission will make funding available for certain transportation construction costs in the 2022 CMF. Since most of these projects will have an ancillary benefit to the community that likely outweighs the mitigation of a casino impact, the Commission anticipates that any CMF assistance provided will only be for a maximum of 33% of the total project cost, and that significant other federal, state, local, private or other funding will be available to pay for the remaining costs of any such project. The Commission will consider waiving this cap if the applicant can affirmatively demonstrate that the cost associated with mitigating the impact exceeds the cap.

Applicants are not prohibited from applying for transportation construction funds in future years for a project included in a 2022 application. However, any 2022 transportation construction project may not rely upon contributions from the CMF in future rounds. Applicants should demonstrate that the financing for the project does not depend upon any future year awards by the Commission. Given the likely complexity of any such transportation construction applications, applicants may consult with Commission staff before and during the CMF review on such projects.

The Commission does not anticipate authorizing more than \$1,500,000 for any one award. The Commission may adjust all target spending amounts, including the amount in this section. There is no minimum application amount.

Applicants must demonstrate that the project will begin construction no later than June 30, 2023. In addition to the criteria for determining grants stated later in these Guidelines, the Commission will evaluate a project's readiness to proceed, the significance of additional funds from other sources, and the potential transportation benefits associated with such projects.

Applicants may, but are not required, to include a description of how the project meets the evaluation standards for the Fiscal Year 2023 TIP criteria for the Boston MPO Region or the Pioneer Valley Planning Commission's transportation evaluation criteria, or other regional transportation project evaluation standard, whichever may be most applicable.

Applicants are strongly encouraged to include a letter of support from the MassDOT with any application.

Transportation Construction Grants are not available for transportation operations costs.

2.7 Workforce Development Grants

Given the uncertainties entering 2022, we encourage applicants to be creative in their grant applications, keeping in mind that training programs must have a direct correlation to impacts from the casino. Applicants must be able to demonstrate that the education and skills training programs proposed are in response to an identified need at the casinos or as a means to provide a sufficient supply of workers to backfill jobs being lost to the casinos. In reviewing these applications, the Commission will need to consider the state of affairs at the time of the review including the condition of the labor market and the general state of the economy.

For 2023, the Commission will make available funding for workforce development programs in Regions A and B for service to residents of communities of such Regions. CMF Workforce grant applicants should focus on areas highly impacted by casino operations, while taking into consideration the impacts of the pandemic.

Goals include:

- To mitigate a strain in existing resources and a potential impact to the regional labor market.
- To identify and alleviate gaps and/or challenges regarding equitable access to casino or industry-related jobs.
- To deliver education and career training programs that can be completed in two years or less and prepare program participants for employment in high-wage, high-skill occupations related to the casino.
- To help low-skilled adults earn occupational credentials, obtain well-paying jobs, and sustain rewarding careers in sectors related to hospitality and casino careers.
- To get students with low basic skills into for-credit career and technical education courses to improve their educational and employment outcomes.
- To align and accelerate ABE, GED, and developmental programs and provide nontraditional students the supports they need to complete postsecondary credentials of value in the regional labor market.
 - The total funding available for workforce grants will likely not exceed \$1,000,000. The Commission anticipates an award of no more than \$500,000 in each Region. Each governmental entity applying for workforce development funds will also need to provide details on what it will contribute to the workforce development project such as in-kind services or workforce development funds.

Eligible activities include:

- a program in Region A or Region B that structures intentional connections among adult basic education, occupational training, and post-secondary education programs designed to meet the needs of both adult learners and employers;
- post-secondary vocational programs;
- registered apprenticeships;
- courses leading to college credits or industry-recognized certificates;
- Adult Basic Education (“ABE”) and vocationally based English for Speakers of Other Languages (“ESOL”) training programs; contextualized learning;
- Integrated Education & Training; and industry-recognized credentials.

Proposals may include programming elements such as gaming school scholarships, culinary, hospitality skills, banking, or general customer service training or vocational programs focused on English language/adult basic education, while taking into consideration the impacts of the pandemic.

A consortium application is required. Eligible workforce development proposals must include a regional consortium approach to improve the skills, knowledge, and credential attainment for Region A and Region B residents interested in a casino or casino-related career, focusing on increasing industry-recognized and academic credentials needed to work in the most in-demand occupations related to the expanded gaming industry or a focus on occupations needed by the regional business community impacted as a result of casino hiring. The proposal must also include regional labor market information and evidence of employer partnerships.

Governmental entities eligible to receive funds would include but not be limited to: host communities, communities which were each either a designated surrounding community, a community which entered into a nearby community agreement with a licensee, a community that is geographically adjacent to the host community of a gaming licensee, a community that petitioned to be a surrounding community to a gaming licensee, state agencies, and regional employment boards. The Commission will evaluate the use of host community agreement funds in evaluating funding requests for workforce development program grant funds. Applicants should consider leveraging other funding resources.

The Commission has determined that administrative costs (including but not limited to all indirect and other administrative funding) shall not exceed 7.5% of the total grant allocation. Administrative costs include activities related to management, oversight, reporting, and record keeping, and monitoring of the grant program.

2.8 Tribal Gaming Technical Assistance Grants

The Commission may make available up to \$200,000 in technical assistance funding to assist in the determination of potential impacts that may be experienced by communities in geographic proximity to the potential Tribal Gaming facility in Taunton. Said technical assistance funding may be made through Southeastern Regional Planning and Economic Development District ("SRPEDD"), or a comparable regional entity. Such funding will only be made available, after approval of any application by SRPEDD or a comparable regional entity, if it is determined by the Commission that construction of such gaming facility will likely commence prior to or during 2022. Any such application must demonstrate that any studies of impacts will address the technical assistance needs of the region which may include but not be limited to the communities that are geographically adjacent to Taunton. Such funding shall not be used to study impacts on or provide technical assistance to Taunton, as funding has been provided in the Intergovernmental Agreement By and Between the Mashpee Wampanoag Tribe and the City of Taunton. Any such program of technical assistance may be provided by SRPEDD itself or through a contract with SRPEDD.

2.9 Emergency Mitigation Grants

The Commission may make available no more than \$200,000 in grant funds to mitigate unanticipated casino related impacts that arise after the January 31, 2022 application date. Any impact must be newly identified and be of an emergency nature that would cause significant harm to the community if it were not remedied in an expeditious fashion. The intent of this grant is to allow the Commission to be more responsive in addressing significant casino related issues that do not fall within the normal CMF timelines. This grant is not intended to circumvent the normal CMF processes. Any applicant for this grant should contact the Community Affairs Division to discuss the impact and the proper way to proceed.

3.0 Application Requirements

3.1 What Should Be Included in the Applications?

Applicants are required to complete the appropriate grant application:

- 2022 Specific Impact Grant Application;
- 2022 Public Safety Grant Application
- 2022 Community Planning Grant Application;
- 2022 Transportation Construction Grant Application;
- 2022 Transportation Planning Grant Application;
- 2022 Tribal Gaming Technical Assistance Grant Application; or
- 2022 Workforce Development Grant Application.

Applicants may also submit additional supporting materials of a reasonable length.

Applicants will need to fully identify the impact being caused by the casino and describe how the project request will address any claimed impacts and provide justification of any funds requested. Applicants will need to round-up dollar values to the nearest hundred dollars.

Applicants will need to describe if and how such impacts were addressed or not addressed in any host or surrounding community agreements. Applicants may include a letter of support from the applicable gaming licensee. However, this is not necessary, as the Commission will request the licensee's opinion regarding each Application.

3.2 How Will the Commission Decide on Applications?

The Commission will ask each licensee to review and comment on any requests for funding.

The Commission will evaluate the submittal by the community, any input received from the community and interested parties (such as regional planning agencies), the responses of the licensee, Commission consultant reviews, and any other sources determined by the Commission. Commission Staff may consider information from the report issued by the Lower Mystic Regional Workforce Group in its evaluation of transportation planning grants.

The Commission will evaluate any funding requests in the context of any host or surrounding community agreements. Factors used by the Commission to evaluate grant applications may include but not be limited to:

- A demonstration that the impact is being caused by the gaming facility;
- The significance of the impact to be remedied;
- The potential for the proposed mitigation measure to address the impact;
- The feasibility and reasonableness of the proposed mitigation measure;
- A demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party;
- The significance of any matching funds including but not limited to the ability to compete for state or federal workforce, transportation or other funds;
- Any demonstration of regional benefits from a grant award;
- A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure;
- A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant; and
- The inclusion of a detailed scope, budget, and timetable for each mitigation request.
- The inclusion of information detailing diversity in vendor/supplier spending practices relative to Minority Business Enterprises (“MBE”), Veteran’s Business Enterprises (“VBE”) and Women’s Business Enterprises (“WBE”).

Supplemental Guidelines Used to Evaluate Workforce Development Applications

- Does the application develop a workforce development program that seeks to address any claimed impacts?
- Does the proposal include a program in Region A or Region B that structures intentional connections among adult basic education, occupational training, and post-secondary education programs?
- Does the proposal seek to assist low-skilled adults in obtaining education and career training to enable them to join the regional labor market?
- Does the proposal seek to address the anticipated goals of the program (see pages 9, 10, and 11 of these Guidelines)?
- Will the participants receive industry-recognized or academic credentials needed to work in the most in-demand casino-related occupations within the region?

- A governmental entity applying for workforce development funds will also need to provide detail on what it will contribute to the workforce development project such as in-kind services or workforce development funds
- Is the Applicant collaborating with others to provide a regional approach?
- Does the Applicant address issues related to a gaming facility?

The Commission may ask Applicants for supplementary materials, may request a meeting with Applicants, and reserves the ability to host a hearing or hearings on any application.

The Commission reserves the ability to determine a funding limit above or below what is detailed in these Guidelines. The Commission notes that it plans to target its funding decisions based on the regional allocations described earlier. However, the Commission reserves the right to make determinations that do not strictly adhere to such targets. In the event the Commission awards are not in such adherence, the Commission may make appropriate adjustments in future guidelines to bring regional allocations into more congruity with such targets.

The Commission reserves the ability to fund only portions of requested projects and to fund only a percentage of amounts requested. The Commission also reserves the ability to place conditions on any award.

There is limited funding available. The Commission therefore reserves the right to determine which requests to fund based on its assessment of a broad range of factors including the extent of public benefit each grant is likely to produce.

3.3 When Will the Commission Make Decisions?

The Commission anticipates making funding decisions on any requests for grant assistance before July 2022.

3.4 Authorization to Approve Requests for Changes to Components of Grant Awards

The Commission authorized MGC staff to approve requests for changes to components of grant awards provided that staff provides notice of such changes to all Commission members and provided further that such changes shall not exceed 10% of the grant award or \$10,000, whichever is smaller.

3.5 Waivers and Variances

The Commission may in its discretion waive or grant a variance from any provision or requirement contained in these Guidelines, not specifically required by law, where the Commission finds that:

- a) Granting the waiver or variance is consistent with the purposes of M.G.L. c. 23K;

- b) Granting the waiver or variance will not interfere with the ability of the Commission to fulfill its duties;
- c) Granting the waiver or variance will not adversely affect the public interest; and
- d) Not granting the waiver or variance would cause a substantial hardship to the community, governmental entity, or person requesting the waiver or variance.

All requests for waivers or variances shall be in writing, shall set forth the specific provision of the Guidelines to which a waiver or variance is sought, and shall state the basis for the proposed waiver or variance.

The Commission may grant a waiver or variance, deny a waiver or variance, or grant a waiver or variance subject to such terms, conditions and limitations as the commission may determine.

3.6 Rescission of Grants

If a Grantee does not expend the funds in a timely manner, the Commission may rescind the grant and make those funds available in the next grant round for the Region in which the grant originated. Before any grant is rescinded, Commission staff will notify the Grantee that the expenditures on the grant are not timely and establish a timeline for the Grantee to either expend the funds or have the grant rescinded.

3.7 Who Should be Contacted for Questions?

CMF applicants are encouraged to contact the Commission's staff with any questions or concerns. The Commission's Chief of the Division of Community Affairs, Joseph Delaney, can be reached at (617) 721-9198 or via e-mail at joseph.delaney@massgaming.gov. The Commission's address is 101 Federal Street, 12th Floor, Boston, MA 02110.

3.8 Where Should the Application be Sent?

Applications **must be sent to www.commbuys.com**. An application received by COMMBUYS by January 31, 2022 will meet the application deadline. Applicants that are not part of the COMMBUYS system should contact Mary Thurlow, Program Manager of the Community Mitigation Fund well in advance of the January 31, 2022 deadline to make arrangements for submission of the application by the deadline. Mary Thurlow can be contacted at (617) 979-8420 or at mary.thurlow@massgaming.gov.

If you have any questions or concerns contact the COMMBUYS Help Desk at COMMBUYS@state.ma.us or during normal business hours (8am - 5pm ET Monday - Friday) at 1-888-627-8283 or 617-720-3197.

COMMONWEALTH OF MASSACHUSETTS
 MASSACHUSETTS GAMING COMMISSION

SUFFOLK, ss.

_____)
In the Matter of:)
)
 Application for License to Hold or Conduct)
 A Racing Meeting at Plainridge Racecourse for)
 Calendar Year 2022 submitted by)
 Plainville Gaming and Redevelopment, LLC)
 _____)

DECISION AND ORDER

This matter came before the Massachusetts Gaming Commission (hereinafter “Commission” or “MGC”) upon an application by Plainville Gaming and Redevelopment, LLC (hereinafter “PGR” or “Applicant”) for a license to hold or conduct a racing meeting for calendar year 2022 (hereinafter “Application”). An adjudicatory hearing relative to the Application was conducted by the Commission on November 9, 2021, using remote collaboration technology. The hearing was conducted in accordance with 205 CMR 101.01; G.L. c. 30A, §§ 10 and 11; and 801 CMR 1.02: *Informal/Fair Hearing Rules*. After hearing and deliberation, the Commission hereby **GRANTS** PGR’s application for a license to hold or conduct a racing meeting for calendar year 2022 subject to the conditions set out below.

I. Exhibits and Witness Testimony

The following exhibits were admitted into evidence without objection and reviewed and considered by the Commission:

- Exhibit 1:** Plainville Gaming and Redevelopment, LLC’s Application for License to Hold or Conduct a Racing Meeting at Plainridge Racecourse for Calendar Year 2022, dated September 30, 2021
- Exhibit 2:** Notice of November 9, 2021 Hearing Re: Application, dated October 29, 2021
- Exhibit 3:** Notice of November 8, 2021 Public Hearing Re: Application, dated October 27, 2021
- Exhibit 4:** Recording of November 8, 2021 Public Hearing Re: Application. <https://massgaming.com/news-events/article/public->

[hearing-on-plainville-gaming-and-redevelopment-llcs-2022-application-november-8-2021-2/](#)

- Exhibit 5:** Written Testimony Submitted to the Commission Re: Application
- Exhibit 6:** Excerpt from 1962 Commonwealth of Massachusetts Election Statistics (Public Document No. 43)
- Exhibit 7:** Memo from Dr. Alexandra Lightbown to Commissioners Re: Application, dated November 8, 2021

The Commission’s decision is based on the information contained in these exhibits as well as the witness testimony presented at the hearing by Mr. Steve O’Toole, PGR’s Director of Racing and Dr. Alexandra Lightbown, MGC’s Director of Racing. The Commission finds that both witnesses testified credibly. In rendering its decision, the Commission also took into consideration both the public comments it received at the November 8, 2021 public hearing (Exhibit 4) and the public comments it received in writing (Exhibit 5).

II. Analysis

The process for determining whether an application for a license to hold or conduct a racing meeting should be granted or denied is governed by G.L. c. 128A. Specifically, sections 2, 3, 13A, and 14 set out the requirements the application must meet and the factors to be considered by the Commission in rendering its decision. Said requirements and factors are set out below, along with the Commission’s associated findings. The Commission finds that the record contains substantial evidence in support of the following:

- a) An application to hold or conduct a horse racing meeting shall state “[t]he name of the applicant.” G.L. c. 128A, § 2(1).

PGR’s Application meets this requirement. Ex. 1 (“App.”) at 2.

- b) An application to hold or conduct a horse racing meeting shall state “[t]he post office address of the applicant, and if a corporation, the name of the state under the laws of which it is incorporated, the location of its principal place of business and the names and addresses of its directors and stockholders.” G.L. c. 128A, § 2(2).

PGR’s Application meets this requirement. App. at 2, Ex. 11A, 11C.

- c) An application to hold or conduct a horse racing meeting shall state “[t]he location of the race track where it is proposed to hold or conduct such meeting.” G.L. c. 128A, § 2(3).

PGR’s Application meets this requirement. App. at 2.

- d) An application to hold or conduct a horse racing meeting shall state “[t]he days on which it is intended to hold or conduct such a meeting.” G.L. c. 128A, § 2(4).

PGR’s Application meets this requirement. App. at 2, Ex. 6. During the adjudicatory hearing, Mr. O’Toole testified that PGR is coordinating with two race tracks in Maine in

order to schedule racing days in a manner that benefits both the industry stakeholders and the tracks. As such, PGR will likely request modifications to the days on which it intends to hold or conduct a racing meeting. Requested modifications to the racing schedule will be considered by the Commission when received.

- e) An application to hold or conduct a horse racing meeting shall state “[t]he hours of each day between which it is intended to hold or conduct racing at such meeting, which hours shall be not before ten o’clock ante meridian for horse racing...except as provided for in section three,...nor later than twelve o’clock midnight for harness horse racing...” G.L. c. 128A, § 2(5).

PGR’s Application meets this requirement. App. at 2.

- f) An application to hold or conduct a horse racing meeting shall state “[a]nswers to such other questions as the commission may prescribe.” G.L. c. 128A, § 2(6).

PGR’s Application meets this requirement. App.

- g) An application to hold or conduct a horse racing meeting shall state “[t]hat the applicant will comply, in case such license be issued, with all applicable laws and with all applicable rules and regulations prescribed by the commission.” G.L. c. 128A, § 2(7).

PGR’s Application meets this requirement. App. at 14.

- h) “Such application shall be filed with the commission on or before the first day of October, of the calendar year preceding the calendar year for which application requests a license to be issued under this chapter.” G.L. c. 128A, § 2.

PGR’s Application meets this requirement. The Application was submitted to the Commission on October 1, 2021.

- i) “Such applications shall be signed and sworn to...if made by an association or corporation, by the president or vice president thereof.” G.L. c. 128A, § 2.

PGR’s Application meets this requirement. App. at 2, 19.

- j) “With such application there shall be delivered to the commission a certified check or bank draft, payable to the commission, weekly in advance for the full amount of the license fee required by this chapter.” G.L. c. 128A, § 2.

PGR’s Application meets this requirement. App. at 1, PDF page 22.

- k) “Reasonable notice and a public hearing in the city or town wherein the license is to be exercised.” G.L. c. 128A, § 3.

A public hearing on PGR’s 2022 Application for a license to hold or conduct a racing meeting was noticed on October 28, 2021 and held by the Commission on November 8, 2021. Exhibit 3, Exhibit 4.

- l) “No license shall be issued to any person who is in any way in default, under the provisions of this chapter, in the performance of any obligation or in the payment of any

debt to the commission; provided, however, that no license shall be issued to any person who has, within 10 years of the time of filing the application for the license, been convicted of violating section 5.” G.L. c. 128A, § 3(h).

The Commission accepts the testimony of Dr. Lightbown, who confirmed that this requirement has been met by PGR. Exhibit 7.

- m) “No license shall be issued to permit horse... racing meetings to be held on premises owned by the commonwealth or any political subdivision thereof.” G.L. c. 128A, § 3(l).

PGR’s Application confirms that this requirement has been met. App. at Ex. 14.

- n) “No license shall be issued unless the person applying therefor shall have executed and delivered to the commission a bond payable to the commission in the amount of \$125,000 with a surety or sureties approved by the commission conditioned upon the payment of all sums which may become payable to the commission under this chapter.” G.L. c. 128A, § 3(o).

PGR’s Application attests that this requirement has been met and attaches a copy of a bond. App. at 1, PDF pages 19-21. Per 205 CMR 14.01, “[a] harness racing association or horse racing association awarded a license pursuant to M.G.L. c. 128A must provide the commission with the bond required pursuant to M.G.L. c. 128A, § 3(o) within 30 days of the award of the license.” The Commission conditions the license to PGR on confirmation of execution and delivery to the Commission of the required bond within 30 days.

- o) “[N]o license shall be granted by the commission for a racing meeting in any city or town, except in connection with a state or county fair, unless the location of the race track where such meeting is to be held or conducted has been once approved by the mayor and city council or the town council or the selectmen as provided by said section thirty-three of said chapter two hundred and seventy-one, after a public hearing, seven days’ notice of the time and place of which hearing shall have been given by posting in a conspicuous public place in such city or town and by publication in a newspaper published in such city or town, if there is any published therein, otherwise in a newspaper published in the county wherein such city or town is situated.” G.L. c. 128A, § 13A.

Exhibit 15 to PGR’s Application includes a letter from Plainville Town Administrator Joseph Fernandes dated September 29, 1997 stating that on September 8, 1997, the Plainville Board of Selectmen held a public hearing on the request of Manager Acquisition Corporation to locate a harness racing facility within the Town of Plainville and that the Board approved the suitability of the proposed site. Mr. Fernandes also confirmed that “public hearing was held pursuant to the requirements of MGL Chapter 128A, section 13A, and as such was properly posted and advertised.” Id. The Commission finds that the letter from Mr. Fernandes is substantial evidence that the requirements of G.L. c. 128A, § 13A have been met. Additionally, the Commission relies on the fact that PGR has been awarded a yearly racing license for over two decades without any known challenge to the viability of the Board’s vote as evidence that the requirements of § 13A were met as described in the letter.

- p) “Licenses shall not be granted under this chapter for the holding or conducting of any horse racing meeting...within any county unless a majority of the registered voters of such county voting on the following described questions relative to granting such licenses when said questions were last submitted to them have voted in the affirmative.” G.L. c. 128A, § 14. The relevant question for the purposes of this application is “Shall the pari-mutuel system of betting on licensed horse races be permitted in this county?” *Id.*

In 1962 the County of Norfolk last voted on the following question: “Shall the pari-mutuel system of betting on licensed horse races be permitted in this county?” Exhibit 6 at 415. In that election, the majority of the registered voters of Norfolk County voted in the affirmative. Id. As such, the requirement of G.L. c. 128A, § 14 has been met.

- q) “In granting authorized dates under this section, the commission shall take into consideration, in addition to any other appropriate and pertinent factors, the following: the financial ability of an applicant to operate a race track.” G.L. c. 128A, § 3(i).

After a comprehensive renewal process, the Commission renewed PGR’s Category 2 Gaming License in a decision dated September 30, 2020. In so doing, the Commission found that “[a]ll entity qualifiers, including the gaming licensee, itself, have been deemed suitable in accordance with G.L. c. 23K, § 12 including a finding relative to the financial stability of the gaming licensee.”¹ Given the depth and complexity of the background check procedures performed in the renewal process, the Commission hereby incorporates the referenced finding into its decision regarding PGR’s Application. The Commission has also considered the financial information provided by PGR in its Application and through Mr. O’Toole’s testimony. The Commission finds that PGR has sufficient financial ability to operate a race track.

- r) “In granting authorized dates under this section, the commission shall take into consideration, in addition to any other appropriate and pertinent factors, the following: the maximization of state revenues.” G.L. c. 128A, § 3(i).

In considering this factor, the Commission finds that PGR, which currently operates the only harness racing track in the Commonwealth, has had a positive impact on the racing industry in Massachusetts. Further, per testimony received at the November 8, 2021 public hearing, operation of the track in conjunction with the Category 2 gaming facility has brought substantial benefits to the Town of Plainville. Additionally, the Commission takes into consideration the information provided by PGR in its Application concerning the maximization of state revenues. App. at Ex. 25. Based on the foregoing, the Commission finds that PGR’s operation of a race track in Plainville has had and will continue to have a positive impact on the maximization of state revenues.

- s) “In granting authorized dates under this section, the commission shall take into consideration, in addition to any other appropriate and pertinent factors, the following:

¹ Maintaining suitability is an ongoing responsibility of the gaming licensee and its parent, which owns and operates the race track.

the suitability of racing facilities for operation at the time of the year for which dates are assigned.” G.L. c. 128A, § 3(i).

In light of the information provided by PGR in its Application concerning the suitability of its racing facilities; the testimony of Mr. O’Toole, who addressed recent and planned improvements to PGR’s facilities and track; the recommendation of Dr. Lightbown that PGR’s application be approved; and the Commission’s history overseeing PGR’s racing facilities, the Commission finds that PGR’s racing facilities are suitable for operation at the time of the year for which dates are assigned.

The Commission also adopts the following condition of licensure recommended by Dr. Lightbown: PGR will have an independent expert review the track surface prior to racing and reserves the right to ask for further reviews during the racing season.

- t) “In granting authorized dates under this section, the commission shall take into consideration, in addition to any other appropriate and pertinent factors, the following: the circumstance that large groups of spectators require safe and convenient facilities.” G.L. c. 128A, § 3(i).

In light of the information provided by PGR in its Application concerning the suitability of its racing facilities; the testimony of Mr. O’Toole, who addressed recent and planned improvements to PGR’s facilities and track; the recommendation of Dr. Lightbown that PGR’s application be approved; and the Commission’s history overseeing PGR’s racing facilities, the Commission finds that PGR’s racing facilities are suitable for large groups of spectators that require safe and convenient facilities.

- u) “In granting authorized dates under this section, the commission shall take into consideration, in addition to any other appropriate and pertinent factors, the following: the interest of members of the public in racing competition honestly managed and of good quality.” G.L. c. 128A, § 3(i).

As discussed above, the Commission renewed PGR’s Category 2 Gaming License in a decision dated September 30, 2020. In so doing, the Commission found that “[a]ll entity qualifiers, including the gaming licensee, itself, have been deemed suitable in accordance with G.L. c. 23K, § 12 including a finding relative to the financial stability of the gaming licensee.” Given the depth and complexity of the background check procedures performed in the renewal process, the Commission hereby incorporates the referenced finding into its decision regarding PGR’s Application. The Commission has also considered the information provided by PGR in its Application and the testimony of Mr. O’Toole and Dr. Lightbown related to this factor, including but not limited to testimony concerning the good relationships PGR maintains with industry stakeholders. The Commission finds that the interest of members of the public in racing competition honestly managed and of good quality is met by PGR’s operation.

- v) “In granting authorized dates under this section, the commission shall take into consideration, in addition to any other appropriate and pertinent factors, the following: the necessity of having and maintaining proper physical facilities for racing meetings.” G.L. c. 128A, § 3(i).

In light of the information provided by PGR in its Application concerning the suitability of its racing facilities; the testimony of Mr. O'Toole, who addressed recent and planned improvements to PGR's facilities and track; the recommendation of Dr. Lightbown that PGR's application be approved; and the Commission's history overseeing PGR's racing facilities, the Commission finds that PGR has and maintains proper physical facilities for racing meetings.

- w) "In granting authorized dates under this section, the commission shall take into consideration, in addition to any other appropriate and pertinent factors, the following: the necessity of according fair treatment to the economic interest and investments of those who in good faith have provided and maintain such facilities." G.L. c. 128A, § 3(i).

PGR has been operating and investing in its race track in Plainville for over 20 years. Per testimony received at the November 8, 2021 public hearing, PGR has also played an active and positive role in the Plainville community. As such, the Commission finds that this factor counsels in favor of granting PGR's Application for 2022.

- x) Whether the applicant is financially responsible, able to meet obligations to the Commonwealth, has suitable and safe facilities for the service of patrons, and is likely to conduct racing in accordance with the approved practices and in a manner consistent with the public safety, health, morals, and welfare, including the suitability of the applicant and its leadership to hold or conduct a racing meeting. *See Bay State Harness Horse Racing & Breeding Ass'n, Inc. v. State Racing Comm'n, 342 Mass. 694 (1961).*

As discussed above, the Commission renewed PGR's Category 2 Gaming License in a decision dated September 30, 2020. In so doing, the Commission found that "[a]ll entity qualifiers, including the gaming licensee, itself, have been deemed suitable in accordance with G.L. c. 23K, § 12 including a finding relative to the financial stability of the gaming licensee." Given the depth and complexity of the background check procedures performed in the renewal process, the Commission hereby incorporates the referenced finding into its decision regarding PGR's Application. The Commission has also considered the information provided by PGR in its Application and the testimony of Mr. O'Toole and Dr. Lightbown related to this factor. The Commission finds that the elements included in this factor have been met.

- y) The reputation for honest dealing and gaming history of the applicant's ownership and leadership. *See Barrington Fair Ass'n, Inc. v. State Racing Comm'n, 27 Mass. App. Ct. 1159 (1989).*

As discussed above, the Commission renewed PGR's Category 2 Gaming License in a decision dated September 30, 2020. In so doing, the Commission found that "[a]ll entity qualifiers, including the gaming licensee, itself, have been deemed suitable in accordance with G.L. c. 23K, § 12 including a finding relative to the financial stability of the gaming licensee." Given the depth and complexity of the background check procedures performed in the renewal process, the Commission hereby incorporates the referenced finding into its decision regarding PGR's Application. The Commission has also considered the information provided by PGR in its Application and the testimony of Mr. O'Toole and Dr. Lightbown related to this factor. The Commission finds that PGR's

reputation for honest dealing and the gaming history of the applicant's ownership and leadership counsel in favor of granting PGR's Application for 2022.

Accordingly, the Commission finds that PGR has met the statutory requirements for approval of its 2022 Application. The Commission further finds that, as a whole, the additional factors taken into consideration and described above weigh in favor of granting PGR's 2022 Application.

III. Conclusion

For the foregoing reasons, PGR's application for a license to hold or conduct a racing meeting at Plainridge Racecourse (301 Washington St., Plainville, MA) for calendar year 2022 is hereby **GRANTED** subject to compliance with all applicable laws and the rules and regulations promulgated thereunder by the Commission and all applicable federal, state, and local laws, rules, and regulations, and subject to the following conditions:

- 1) Confirmation of execution and delivery to the Commission of the bond required by G.L. c. 128A, § 3(o) within 30 days.
- 2) PGR will have an independent expert review the track surface prior to racing. The Commission reserves the right to ask for further reviews during the racing season.
- 3) Prior to the live racing meet, background checks shall be conducted on the racing officials submitted by the Applicant for employment as well as for individuals the Commission considers key racing employees, and the results of such checks shall be subject to review and approval by the Commission. G.L. c. 128A, § 9A.

The Commission finds that PGR shall be awarded a license to hold or conduct 110 racing days in calendar year 2022 as described in the Application at Exhibit 6 between the hours of 10 a.m. and 9 p.m.² Any request to alter the 2022 racing schedule outlined in the Application shall be brought before the Commission for review. PGR's Application is incorporated by reference into the license and made a part thereof. PGR shall have an affirmative obligation to abide by all statements made in its application to the Commission, including all evaluation criteria and eligibility requirements.

Furthermore, the request for 110 live racing days, pursuant to G.L. c. 23K, § 24, during the period of April 11th through November 25th makes the Applicant eligible to offer simulcast wagering pursuant to G.L. c.128C, § 2.³ The Application also includes a master list of requested

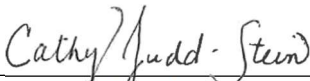
² The calendar submitted by PGR identifying its requested racing days is attached to this decision.

³ While dog racing is banned in the Commonwealth, the simulcasting of greyhound races from jurisdictions with differing standards is still permitted. G.L. c. 128C, § 2 (“The harness horse racing meeting licensee located in Norfolk county shall have the right to simulcast...a total of 5 greyhound racing performance on any day of the calendar year”). It is not within the

simulcast imports and simulcast outlets for export of the Applicant's live racing signal, a request for authorization of advance deposit wagering accounts pursuant to G.L. c. 128A, § 5C, and a notice of election of June 19, 2022, through September 10, 2022, as the so-called "premium free period" pursuant to M.G.L. c.128C, § 2(4).

SO ORDERED

MASSACHUSETTS GAMING COMMISSION



Cathy Judd-Stein, Chair



Gayle Cameron, Commissioner



Bradford Hill, Commissioner



Eileen O'Brien, Commissioner

DATED: November 15, 2021

Commission's authority to ban the simulcasting of greyhound races; any such change must be made by the Legislature.

2022 Plainridge Park Casino Calendar

April						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		




July						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

-  4:00pm ET
-  2:00pm ET
-  1:00pm ET

★ Sunday, July 24 • First Post 2:00pm ET ★

Spirit of Massachusetts Trot
Clara Barton Pace



BUTTERS BRAZILIAN LLP

699 BOYLSTON STREET, 12TH FLOOR
BOSTON, MASSACHUSETTS 02116
617.367.2600
f 617.367.1363
www.buttersbrazilian.com

November 1, 2021

Dr. Alexandra Lightbown
Director of Racing and Chief Veterinarian
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110
Via email: alexandra.lightbown@massgaming.gov

RE: Withdrawal of SEAC Racing Meeting Application

Dear Dr. Lightbown:

I am writing on behalf of Sturbridge Equine and Agricultural Center LLC (“SEAC”) and hereby withdraw its application for a license to hold or conduct a racing meeting. I respectfully request that the Commission take no further action on the application.

As you know, on October 1, 2021, on behalf of SEAC, I submitted the first new thoroughbred meeting license application in decades. Over hundreds of pages of application materials our team demonstrated its commitment to return thoroughbred racing to Massachusetts at a first-class facility. We remain committed. As a result of the vote at Sturbridge Town Meeting on Thursday, we are unable to build the facility that Massachusetts thoroughbreds deserve at our location in Sturbridge at the present time. But this has not disrupted our momentum.

Our commitment to find a suitable location for our first-class facility has not wavered. Our commitment to conduct festival-style racing in connection with a state or county fair in 2022 remains. The mutual commitment and support that our team enjoys with the horsemen is as strong as ever.

The outstanding team we have assembled is poised to identify a new location at which to build our first-class facility. Our team intends to file a new racing meeting application in the coming months, well ahead of next year’s filing deadline. I ask that when I file that application that the Commission act with all deliberate speed to process and approve that application. Expedient processing and approval of our license application will ensure that we can return

thoroughbred racing to Massachusetts as quickly as possible, catalyze economic development, and keep and create jobs in the horse racing community.

I look forward to continuing to work with the Division of Racing and the Commission and presenting a new application to you promptly.

Yours truly,

Pat Hanley

CC: Attorney Caitlin W. Monahan
Associate General Counsel



MEMORANDUM

TO: Chair Judd-Stein and Commissioners Cameron, Hill, and O’Brien
FROM: Nakisha Skinner, Licensing Division Chief
DATE: November 15, 2021
RE: Gaming Service Employee (SER) Exemption Request: MGM Springfield

SUMMARY

The Licensing Division requests the Commission consider and approve a service employee registration exemption for *Dealer Trainee* at MGM Springfield, a Category 1 licensee. The position will train to deal table games, including Blackjack, Baccarat, Roulette, Craps, and Poker at an off-site location, 95 State Street, Springfield, with no training occurring on the gaming floor. The Licensing Division supports the exemption.

VENDOR EMPLOYEE POSITION			
Job Profile Number	Position	Department	Property Access Level
11419	Dealer Trainee	Table Games	N ¹

BACKGROUND

On November 2, 2017 Governor Baker signed a statutory amendment which granted the Massachusetts Gaming Commission the authority to exempt certain “Gaming Service Employee” level job positions from the mandatory registration process. At the January 18, 2018 meeting, the Massachusetts Gaming Commission provided staff with a process for considering any potential exemptions. Additionally, the Commission endorsed the following factors for consideration when making exemption determinations:

¹ Access level “N” is described as: “No access to secure casino back-of-house without security escort.”



- Work performed on the gaming floor
- Managerial responsibilities in any department
- Supervisory responsibilities in Human Resources, Sales and Marketing
- Responsibilities for alcohol sales, distribution, service, and/or storage
- Access to secure casino back-of-the house areas (including executive offices) without security escort
- Responsibilities for accounting and/or finance relating to the gaming establishment
- "Write" access to gaming-related casino databases
- Responsibilities that potentially impact the integrity of gaming operations, including access to confidential or sensitive information



Massachusetts Gaming Commission



Standardized Job Description

Job Profile #:	11419	Band:	04
Job Profile Title:	Dealer Trainee	FLSA Status:	Non-Exempt
Position Title:	Table Games Dealer Trainee	Uniform Requirement (Yes/No):	No

Become one of the stars behind The SHOW and become part of the world’s most powerful entertainment brands. Our Company has one exciting mission: **To entertain the human race.**

PRIMARY PURPOSE:

Our Table Games Dealer Trainee Program is a great opportunity to gain dealer gaming skills with the one of the best-known entertainment/gaming companies in the world. Successful completion of our training program may lead to a position as a Table Games Dealer. It is the responsibility of the Dealer Trainee to successfully learn how to perform the act of dealing table games while performing excellent guest service. All duties are to be performed in accordance with federal, state, local laws, regulations, and ordinances, as well as department and Company policies, practices, and procedures.

ABOUT THE TRAINING PROGRAM

- 8-week program (30 hours per week)
- You will learn two table games: Blackjack, Carnival, Roulette. Baccarat, Craps
- MGM Resorts Service Training

PRINCIPAL DUTIES AND RESPONSIBILITIES:

- Ensure that all training and activities will reflect the policies, philosophies, and regulations of MGM and local Gaming Control Board.
- Train on act of dealing several game types; including: Blackjack, Baccarat, Roulette, Craps and Specialty Games (Poker).
- Train to protect, control, and verify the accuracy of fills, credits, openers/closers, and marker transactions; accurately exchanges cash or markers for chips.
- Train to communicate verbally with supervisors or Table Games Managers of unnatural or irregular play and disputes on the game.

Train to notify supervisor immediately of all mistakes or claims and make resolution only at the direction of the supervisor.

- Train to verbalize player instructions, card totals, results or any other information as required in the procedures of each game.

- Train to assume duties of dealing other licensed games as needed within the Game Type definition and within the Dealer I Classification guidelines.

- Train to resolve guest complaints within scope of authority; otherwise refer the matter to management .

- Train to notify supervisor and/or Security of all unusual events, circumstances, missing items, or alleged theft.

- Perform other job-related duties as requested.

MINIMUM REQUIREMENTS:

- At least 18 years of age.
- High School Diploma or equivalent.
- Ability to pass a basic math test.
- Ability to attend all training classes.
- If placed into a Dealer role, ability to work varied shifts, to include weekends and holidays.
- If placed into a Dealer role, ability to obtain a gaming license as required by state regulations.

PREFERRED:

- Bilingual, with English as the primary or secondary language.

CERTIFICATIONS, LICENSES, REGISTRATIONS:

- Proof of eligibility to work in the United States.

KNOWLEDGE, SKILLS, AND ABILITIES:

- Strong problem solving and listening skills.
- Ability to function and act independently.
- Able to effectively communicate in English, in both written and verbal forms.
- Ability to communicate effectively, concisely, and logically in a timely manner and at an appropriate level, while maintaining confidentiality.
- Ability to multi-task and work well in a fast paced, team-oriented environment.
- Excellent organizational skills to function effectively under time constraints and within established deadlines, with particular attention to detail.
- Excellent customer service skills and interpersonal skills to effectively communicate with all business contacts.



MASSACHUSETTS GAMING COMMISSION

IDENTIFICATION OF POTENTIAL POSITIONS FOR EXEMPTION FROM THE REGISTRATION REQUIREMENT BY THE MGC

The Massachusetts Gaming Commission may exempt a job position from categorization as a gaming service employee. See G.L. c. 6, § 172(o); 205 CMR 134.03(4).

GAMING LICENSEE: Blue Tarp reDevelopment, LLC (dba MGM Springfield)

JOB POSITON (AND UNIQUE JOB CODE): Trainee Dealer 11419

JOB DESCRIPTION	EFFECTIVE DATE OF JOB DESCRIPTION: 10/01/2021 <i>(The Licensee shall immediately notify the Bureau of changes to any job description for an exempted position.)</i>
See Attached	

(Continue to Page 2)

GAMING LICENSEE CERTIFICATION

The Commission considers the following non-exhaustive list of factors when determining whether or not to exempt a job position. Please indicate information about each factor for the position that has been identified as potentially eligible for exemption.

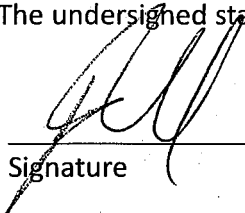
JOB POSITON (AND UNIQUE JOB CODE): Trainee Dealer 11419

FACTOR	DESCRIPTION / EXPLANATION
Work performed on gaming floor	No
Managerial responsibilities in any department	No
Supervisory responsibilities in Human Resources or Sales and Marketing	No
Responsibilities for alcohol sales, distribution, service, and/or storage	No
Access to secure casino back-of-the house areas (including executive offices) without security escort	Access Level: N No access to secure casino BOH without security escort
Responsibilities for accounting and/or finance relating to the gaming establishment	No
"Write" access to gaming-related casino databases	No
Responsibilities that potentially impact the integrity of gaming operations, including access to confidential or sensitive information	No
Other (please set forth other relevant information for exemption consideration)	Role will be training to be a Table Games Dealer. Training will be conducted on the 9th floor of 95 State Street office building, with no training or work performed on the gaming floor.

(Continue to Page 3)

JOB POSITON (AND UNIQUE JOB CODE): Trainee Dealer 11419

The undersigned states that the information herein is true and accurate.



/ Jason Randall
/ Printed Name

10/04/2021
Date



TO: Chair Judd-Stein, Commissioners Cameron, Hill, O'Brien

FROM: Mark Vander Linden, Director of Research and Responsible Gaming,
Marie-Claire Flores-Pajot, Research Manager

CC: Karen Wells, Executive Director

DATE: November 18, 2021

RE: Selecting topic of an ad hoc study for the FY22 MGC Research Agenda

Background

The Massachusetts Gaming Commission has an Interagency Service Agreement (ISA) with the University of Massachusetts, Amherst to carry out social and economic research as defined in [Chapter 23k Section 71](#). Since 2013, the team of researchers, collectively known as Social and Economic Impacts of Gambling in Massachusetts (SEIGMA), has produced a range of studies to inform the Commission and stakeholders about the impacts resulting from the introduction of casinos in the Commonwealth. A complete library of this research can be found on the MGC website: <https://massgaming.com/about/research-agenda/>. Beginning in FY21, the MGC included one to two ad hoc reports in the research deliverables outlined in the annual ISA. The ad hoc report provides flexibility in defining the topic of study after the fiscal year begins. In FY21, there were two ad hoc reports including a social study examining gambling harms and the prevention paradox and an economic study examining casino operations with a focus on the impacts of the COVID-19 pandemic on the gaming industry.

Selecting the FY22 Ad Hoc Report

The FY22 ISA with UMASS/SEIGMA includes one social ad hoc report. **On November 1, 2021 we sought advice from the Gaming Policy Advisory Committee on the topic of this study.** The limitation for the study is that it can only include data that the research team has already collected or that is available from other entities. We provided the following five topics of study, and welcomed further recommendations:

1. Update and revise the Problem and Pathological Gambling Measure (PPGM). The PPGM is a problem gambling assessment measure used in Massachusetts and numerous other jurisdictions, to measure population prevalence of problem, at-risk, and recreational gambling. The results of the MAGIC study could be operationalized to create improved scoring criteria, particularly for at-risk gamblers in this measure.



Massachusetts Gaming Commission

2. Etiology of Problem Gambling. Integrating the results of MAGIC with the findings of all the other major gambling cohort studies in other jurisdictions would provide a clearer picture of the etiology of gambling and problem gambling.
3. Economic analysis of local community agreements. The Targeted Population Surveys have provided an estimate of how much revenue PPC and MGM receive from the host and surrounding communities (relative to everywhere else). This can be compared to how much compensation the host and surrounding communities receive from the local casino to determine the equitability of these agreements.
4. An examination of legalization of sports betting in the United States. Because sports betting legalization in the US is relatively new, much of this analysis would focus on legislation that has passed in the 32 states where sports betting has been legalized since 2018, the different operational models, and the revenues generated in those states where sports betting is operational. The few population surveys that have been carried out (e.g., NGAGE by National Council on Problem Gambling) may provide some insight on sports wagering behaviors. This analysis may provide some information about the likely impacts of legalized sports betting in MA.
5. Research uses for mobile phone location data. Since 2017, mobile phone location data has been collected from opt-in smartphone applications and aggregated by companies that offer subscriptions or customized reports to interested parties. This data could be potentially used to analyze casino patron geographic origin and expenditure, both within Massachusetts and in adjacent states, that might supplement or replace the SEIGMA team's existing Patron and License Plate surveys. The cost, comparability, and validity of this approach would be examined.

Two GPAC members endorsed the topic examining the legalization of sports betting in the United States (4), and one member endorsed the topic researching the use for mobile phone location data (5).

We believe that each option holds promise to expand our understanding of gambling behaviors and problem gambling. However, given the emergence of sports wagering as a critical and timely issue, combined with limited research on this issue, we support a study that further examines the legalization of sports betting in the United States.



Massachusetts Gaming Commission