



MASSACHUSETTS GAMING COMMISSION
PUBLIC MEETING# 331

December 22, 2020
10:00 a.m.

VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 112 546 0042



Massachusetts Gaming Commission

NOTICE OF EMERGENCY MEETING and AGENDA
December 22, 2020

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

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §20(b), notice is hereby given of an emergency meeting of the Massachusetts Gaming Commission. The meeting will take place:

Tuesday, December 22, 2020

4:00 p.m.

Massachusetts Gaming Commission

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All documents and presentations related to this agenda will be available for your review on the afternoon of December 22, 2020 by [clicking here](#).

PUBLIC MEETING - #331

1. Call to order
2. Maximum occupancy and capacity levels at regulated facilities – Karen Wells, Executive Director; Loretta Lillios, Interim Director of the IEB
 - (i) Review and consideration of Covid-19 related maximum occupancy levels at gaming establishments set in the *Minimum Requirements for the Initial Phase 3 Opening of Gaming Establishments* (the “Gaming Guidelines”) in light of Governor Baker’s COVID-19 Order No. 59, dated December 22, 2020. **VOTE**
 - (ii) Review and consideration of Covid-19 related maximum occupancy levels at simulcast facilities (PPC, Raynham Park, and Suffolk Downs) established in the respective approved protocols (the “Simulcast Guidelines”) in light of Governor Baker’s COVID-19 Order No. 59, dated December 22, 2020. **VOTE**
3. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting.

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



Massachusetts Gaming Commission

December 22, 2020

Cathy Judd-Stein, Chair

Date Posted to Website: December 22, 2020 at 2:40 p.m.



Massachusetts Gaming Commission

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

**Requirements to Ensure Compliance with COVID-19 Order No. 59,
Temporarily Applying Further Capacity Restrictions
to Statewide COVID-19 Safety Rules**

Introduction & Background:

On June 23, 2020, following the temporary closure of casino operations due to the COVID-19 pandemic, the Commission approved the “Minimum Requirements for the Initial Phase 3 Opening of Gaming Establishments” in the Commonwealth.¹ With respect to Occupancy, the Guidelines state that “[t]he occupancy limit for each licensee shall be set by the following formula: Number of gaming positions available x 3 + gaming area employees of the licensee and MGC + capacity of open amenities utilizing the occupancy limits set by the Governor’s guidelines for each amenity.” These Requirements further state that “[t]he occupancy limit for PPC shall also include racing participants + racing employees of the licensee and MGC + the capacity of the simulcasting area utilizing the occupancy limit set by the Governor’s guidelines.”

On October 8, 2020, the Commission approved the “Minimum Requirements for the Reintroduction of Roulette at the Category 1 Gaming Establishments.” On November 5, 2020, the Commission approved “Requirements to Ensure Compliance with COVID-19 Order No. 53, Requiring Early Closing and Limiting Hours for Alcohol at the Commonwealth’s Gaming Establishments.”

On December 22, 2020, the Baker-Polito Administration issued “COVID-19 Order No. 59 – Order Temporarily Applying Further Capacity Restrictions to Statewide COVID-19 Safety Rules,” effective at 12:01 AM on Saturday, December 26, 2020, requiring, in relevant part, capacity limitations of 25% for casinos, restaurants, and retail businesses. Order No. 59 states that “workers/staff [are] excluded from the occupancy count for restaurants and retail businesses.” Order No. 59 states that it “shall remain in effect until 12:00 noon on January 10, 2021 unless further extended.”

COVID-19 Order No. 59 provides in part that the references to the 25% capacity limits “shall apply to a facility’s maximum permitted occupancy as documented in its occupancy permit or similar license or permit on record with the municipal building department or other municipal record holder in which the facility is located.”

¹ The Minimum Requirements for the Initial Phase 3 Opening of Gaming Establishments have applied to Encore Boston Harbor, MGM Springfield, and Plainridge Park Casino, including the PPC simulcasting area. The Commission will address the Simulcast Guidelines in agenda item 2.(ii) of its December 22, 2020 emergency open meeting.



Massachusetts Gaming Commission

With respect to casinos, COVID-19 Order No. 59 further provides as follows: “MGC to re-issue capacity rules as necessary.”

Requirements for Gaming Establishments to Ensure Compliance with COVID-19 Order No. 59:

In keeping with COVID-19 Order No. 59, the Commission determines to supplement the Minimum Requirements For the Initial Phase 3 Opening of Gaming Establishments with the instant Requirements to Ensure Compliance with COVID-19 Order No. 59. These supplemental Requirements direct as follows:

1. *For the Gaming Area:* Each gaming licensee may continue to abide by the formula for occupancy set forth in the June 23, 2020 Gaming Guidelines, but in no event may the occupancy level of the gaming area exceed the 25% level set forth in Order No. 59. In calculating the 25% capacity limit of the gaming area under this Supplemental Requirement, workers and staff of the gaming area are excluded from the occupancy counts for the gaming area.
2. *For Amenities:* Each gaming licensee shall abide by the 25% occupancy limits established in Order No. 59 for applicable sectors.
3. Each gaming licensee shall develop a Plan to ensure that compliance with the 25% occupancy limits is achieved in an effective, safe, and orderly manner, including in instances when additional guests may seek entry to the gaming establishment after the occupancy limit has been reached.
4. These Supplemental Requirements are effective at 12:01 AM on December 26, 2020 and shall remain in effect until 12:00 noon on January 10, 2021, unless further extended.



Massachusetts Gaming Commission



PLAINRIDGE PARK
CASINO

December 22, 2020

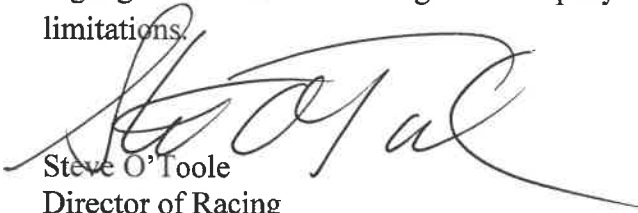
Alexandra Lightbown
Director of Racing
Massachusetts Gaming Commission
101 Federal St.
Boston, MA 02110

MEMORANDUM

RE: Protocols to conduct Racing and Simulcasting under COVID-19

In addition to the "Protocols to Conduct Racing and Simulcasting under COVID-19" as approved by the Massachusetts Gaming Commission, and in order to comply Governor Baker's most recent COVID-19 Order #59, effective 12:01AM December 26, 2020 continuing until 12:01PM January 10, 2021 (unless the Order is extended) Plainridge Park Casino will limit simulcast operation occupancy in the racing area not to exceed 25% capacity. The hours of operation remain in order to comply with previous Orders set forth by the Governor; Sunday, Monday, Tuesday, Wednesday and Thursday 12:00pm to 8:00pm, Friday and Saturday 12:00pm to 9:00pm.

Signage and awareness through the company's website will inform patrons of the temporary capacity limitations.



Steve O'Toole
Director of Racing
Plainridge Park Casino
Plainville Gaming and Redevelopment, LLC

***Raynham Park
Simulcast Center***

**1958 Broadway
Raynham, MA 02767
508-824-4071
raynhampark.net**

Memo

To: Massachusetts Gaming Commission
From: Sue Rodrigues, Assistant General Manager
Date: December 22, 2020
Re: Capacity Restriction

Please be advised that the management of Raynham Park Simulcast Center is aware of Governor Baker's COVID-19 directive, starting at 12:01 a.m. on December 26, 2020 through 12:00 noon, on January 10, 2021 (unless the order is further extended). During this time, capacity for simulcasting will not exceed 25%. This is in addition to all existing measures. Employees and patrons will be notified of this restriction.

If you have any questions, please contact me, at 508-824-4071, ext. 500.

Thank you!



December 22, 2020

Dr. Alexandra Lightbown
Director of Racing
Massachusetts Gaming Commission
101 Federal St, 12th Floor
Boston, MA 02110

Dear Dr. Lightbown:

This letter shall confirm Sterling Suffolk Racecourse's intention to comply with Governor Baker's most recent orders regarding occupancy/capacity of businesses in the Commonwealth issued earlier today.

We are currently closed through December 26th. When we resume operations then, capacity for simulcasting will not exceed 25%, beginning at 12:01 am on December 26 through 12:00 noon on January 10th, unless the Order is further extended. We will be operating on the first and second floor of the Clubhouse only. Licensed occupancy for each of these areas is 600 persons, per City of Boston. As such, we will limit capacity to less than 150 people in each area.

Our security staff and members of our management team will be on hand to ensure an accurate count of patrons in the building and on each floor to ensure we don't exceed these capacity limits and to remind customers to comply with the appropriate social distancing guidelines outlined in our prior correspondence with the Commission regarding Covid 19 protocols.

As always, I am happy to answer any questions that you or the Commission members may have.

Sincerely,

A handwritten signature in dark ink, appearing to read "Chip Tuttle", written in a cursive style.

Chip Tuttle
COO