



# Q1 2022 Report Massachusetts Gaming Commission

---

May 12<sup>th</sup>, 2022

# Revenue, Taxes, Lottery & Spend Update

---

MGM Springfield Q1 2022

# Q1 2022 Gaming Revenue & Taxes

---

Month	Gaming Revenue	MA Taxes
January	\$18,601,688	\$4,650,422
February	\$19,931,914	\$4,985,978
March	\$24,280,253	\$6,070,131
<b>Total</b>	<b>\$62,814,125</b>	<b>\$15,703,531</b>

# Q1 2022 YOY Gaming Revenue & Taxes

Year	Quarter	Table Games Revenue	Slots Gaming Revenue	Total Gaming Revenue	MA Taxes
2021	Q1	\$8,897,282	\$44,558,482	\$53,455,764	\$13,363,941
	Q2	\$11,978,623	\$51,414,249	\$63,392,873	\$15,848,218
	Q3	\$12,467,529	\$52,407,561	\$64,875,090	\$16,218,773
	Q4	\$15,803,182	\$49,507,129	\$65,310,311	\$16,327,578
	<b>Total</b>	<b>\$49,146,617</b>	<b>\$197,887,421</b>	<b>\$247,034,038</b>	<b>\$61,758,509</b>
2022	Q1	\$13,877,719	\$48,936,406	\$62,814,125	\$15,703,531
	Q2	-	-	-	-
	Q3	-	-	-	-
	Q4	-	-	-	-
	<b>Total (to date)</b>	<b>\$13,877,719</b>	<b>\$48,936,406</b>	<b>\$62,814,125</b>	<b>\$15,703,531</b>

# Q1 2022 Lottery

---

Month	Lottery Sales	% Change from Previous Year
January	\$103,556	(9%)
February	\$90,080	22%
March	\$109,672	24%
<b>Total</b>	<b>\$311,307</b>	<b>10%</b>

# Q1 2022 YOY Lottery Sales

---

Year	Quarter	Lottery Sales	% Change from Previous Year
2021	Q1	\$283,089	-
	Q2	\$285,253	-
	Q3	\$278,279	-
	Q4	\$335,217	-
	<b>Total</b>	<b>\$1,181,837</b>	<b>-</b>
2022	Q1	\$311,307	10%
	Q2	-	-
	Q3	-	-
	Q4	-	-
	<b>Total (to date)</b>	<b>\$311,307</b>	<b>10%</b>

# Q1 2022 Diversity Spend

---

Diversity Category	Annual Goal	Q1%	Q1 Spend
MBE Vendor Spend	10%	2%	\$188,780
VBE Vendor Spend	1%	1%	\$140,516
WBE Vendor Spend	15%	5%	\$521,858
<b>Total</b>	<b>27%</b>	<b>9%</b>	<b>\$851,153</b>

\*Total biddable spend was \$9.7M.

# Q1 2022 Local Spend

---

Diversity Category	Annual Goal	Q1%	Q1 Spend
Local Vendor Spend*	\$50M	27%	\$4,050,973
MA Vendor Spend	-	46%	\$6,920,045

\*Local Vendor Spend includes Springfield, Surrounding Communities and Western Massachusetts.



# Compliance

---

MGM Springfield Q1 2022

# Q1 2022 Compliance

---

Month	Minors Intercepted in Gaming Area and prevented from Gaming	Minors intercepted in Gaming Area	Minors Intercepted consuming alcohol	Minors prevented from accessing the Gaming Area
January	13	0	0	8
February	20	6	0	16
March	23	2	0	22

- Average time in Gaming Area – 25.8 minutes
- Longest time in Gaming Area – 1 hour 15 minutes
- Shortest time in Gaming area – 15 seconds

# Employment

---

MGM Springfield Q1 2022

# Q1 2022 Employment Numbers

Q1 2022	Goals	Q1 2022 %	Q1 2022 Total # of Employees	Q2 2022 %	Q2 2022 Total # of Employees	Q3 2022 %	Q3 2022 Total # of Employees	Q4 2022 %	Q4 2022 Total # of Employees
Minority	50%	50%	600	-	-	-	-	-	-
Veteran	2%	6%	68	-	-	-	-	-	-
Women	50%	41%	489	-	-	-	-	-	-
Springfield Residents	35%	37%	437	-	-	-	-	-	-
Western MA Residents	-	74%	885	-	-	-	-	-	-
MA Residents	-	77%	911	-	-	-	-	-	-
Total # Of Gaming Establishment Employees*	-		1,203		-		-		-
Full Time	-		812		-		-		-
Part Time	-		235		-		-		-
On Call	-		156		-		-		-

# Q1 2022 Hiring Goals Percentages

Q1 2022	Minority	Women	Veterans	Total Headcount
<b>ALL EMPLOYEES</b>				
Number of Employees	600	489	68	1,203
% Actual	50%	41%	6%	
<b>MANAGER AND ABOVE</b>				
Number of Employees	43	45	5	122
% Actual	35%	37%	4%	
<b>SUPERVISORS AND ABOVE</b>				
Number of Employees	76	75	7	191
% Actual	40%	39%	4%	

# Community Outreach, Special Events and Development

---

MGM Springfield Q1 2022

# Q1 2022 Community Outreach



- MGM Springfield Honors First Responders with Thank You Events
- MGM Springfield Supports Open Pantry Community Services

# Special Events



March 31, 2022: PlayMyWay Official Launch



# Development Update



- MassMutual Center Garage On Target
- Top Golf Swing Suite & TAP Bowling Now Open
- 31 Elm: City Council Approves Funding Gap

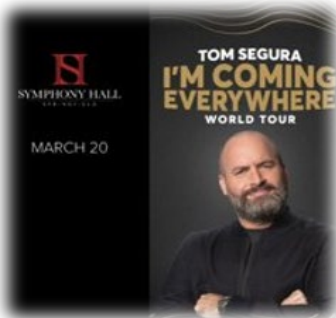
# Entertainment

---

MGM Springfield Q1 2022

# Entertainment Events

## Q1 2022 Entertainment Highlights



## Upcoming Entertainment







Thank you

---



# Quarterly Report Q1 2022

May 25, 2022

Massachusetts Gaming Commission

*Encore*<sup>®</sup>  
BOSTON HARBOR  
A WYNN RESORT

# Gaming Revenue, Taxes & Lottery Sales

*Encore*<sup>®</sup>  
BOSTON HARBOR  
A WYNN RESORT

# Gaming Revenue & Taxes: Q1 2022

Year	Month	Table Games GGR	Slots GGR	Total GGR	State Taxes Collected
2022	January	\$26,084,612.47	\$27,874,734.20	\$53,959,346.67	\$13,489,836.67
	February	\$23,688,641.56	\$31,054,019.69	\$54,742,661.25	\$13,685,665.31
	March	\$29,685,959.75	\$35,181,572.90	\$64,867,532.65	\$16,216,883.16
	<b>Total</b>	<b>\$79,459,213.78</b>	<b>\$94,110,326.79</b>	<b>\$173,569,540.57</b>	<b>\$43,392,385.14</b>

# Gaming Revenue & Taxes: Year-Over-Year

Year	Quarter	Table Games GGR	Slots GGR	Total GGR	State Taxes Collected
2021	Q1	\$51,147,252.30	\$72,828,463.99	\$123,975,716.29	\$30,993,929.07
	Q2	\$66,827,652.69	\$88,842,261.01	\$155,669,913.70	\$38,917,478.42
	Q3	\$76,480,254.77	\$97,903,798.73	\$174,384,053.50	\$43,596,013.38
	Q4	\$86,322,321.24	\$94,064,782.51	\$180,387,103.75	\$45,096,775.94
	<b>Total</b>	<b>\$280,777,481.00</b>	<b>\$353,639,306.24</b>	<b>\$634,416,787.24</b>	<b>\$158,604,196.81</b>
2022	Q1	\$79,459,213.78	\$94,110,326.79	\$173,569,540.57	\$43,392,385.14
	Q2	-	-	-	-
	Q3	-	-	-	-
	Q4	-	-	-	-
	<b>Total (to date)</b>	<b>\$79,459,213.78</b>	<b>\$94,110,326.79</b>	<b>\$173,569,540.57</b>	<b>\$43,392,385.14</b>



# Lottery Sales: Q1 2022\*

Year	Month	Lottery Sales	% Change 2021
2022	January	\$325,690.75	41.3%
	February	\$237,094.00	27.1%
	March	\$255,637.00	30.1%
	<b>Total</b>	<b>\$818,421.75</b>	<b>33.4%</b>

\*The periods for which relevant sales are reported are based upon week-end totals, and may not correspond precisely to calendar month periods.

# Lottery Sales: Year-Over-Year

Year	Quarter	Lottery Sales	% Change from Previous Year
2021	Q1	\$613,578.00	-13.3%
	Q2	\$727,269.25	11354.1%
	Q3	\$777,725.00	84.4%
	Q4	\$908,165.00	43.5%
	<b>Total</b>	<b>\$3,026,737.25</b>	<b>71.2%</b>
2022	Q1	\$818,421.75	33.4%
	Q2	-	-
	Q3	-	-
	Q4	-	-
	<b>Total (to date)</b>	<b>\$818,421.75</b>	<b>33.4%</b>

# Workforce

*Encore*<sup>®</sup>  
BOSTON HARBOR  
A WYNN RESORT

# Employment: All Employees

Sector	Goal	Q1% <sup>1</sup>	Q1 Total # of Employees	Q2%	Q2 Total # of Employees	Q3%	Q3 Total # of Employees	Q4%	Q4 Total # of Employees
Minority	40%	54%	1,879	-	-	-	-	-	-
Veteran	3%	2%	82	-	-	-	-	-	-
Women	50%	45%	1,550	-	-	-	-	-	-
Local/Host/Surrounding Community Resident <sup>4</sup>	75%	87%	3,030	-	-	-	-	-	-
MA Residents	-	90%	3,144	-	-	-	-	-	-
Total Number of Employees <sup>3</sup>			3,482						
Full-time			2,403						
Part-time			1,079						
On-call			0						

- 1 All Q1 figures are as of April 1, 2022.
- 2 “Local/Host/Surrounding Community Residents” include residents from communities within thirty (30) miles of Encore Boston Harbor.
- 3 Please note that an employee may fall into more than one sector (e.g.: minority and local) and, as such, totals may not be reflective of the sum of previous columns.

# Employment: Supervisory and Above

	Minority	Women	Veteran	Total Head Count (including non-minority employees)
<b>ALL EMPLOYEES</b>				
Number of Employees	1,879	1,550	82	3,482
% Actual	54%	45%	2%	-
<b>MANAGER AND ABOVE</b>				
Number of Employees	102	96	13	220
% Actual	46%	44%	6%	-
<b>SUPERVISORS AND ABOVE</b>				
Number of Employees	316	228	24	553
% Actual	59%	43%	5%	-

# Operating Spend

*Encore*<sup>®</sup>  
BOSTON HARBOR  
A WYNN RESORT

# Operating Spend<sup>1</sup>: Diversity

Diversity Category	Annual Goal	Q1%	Q1 Spend
MBE Vendor Spend	8%	8%	\$1,534,132.60
VBE Vendor Spend	3%	2%	\$386,262.19
WBE Vendor Spend	14%	14%	\$2,786,775.99
<b>Total Diverse Spend</b>	<b>25%</b>	<b>24%</b>	<b>\$4,707,170.78</b>

<sup>1</sup> All spend figures referenced herein are based upon Encore Boston Harbor's Q1 discretionary spend amount of **\$20,324,247.25**.

# Operating Spend: Local

Locality	Annual Goal	Q1%	Q1 Spend
Boston	\$20,000,000.00	17%	\$3,548,797.19
Chelsea	\$2,500,000.00	3%	\$519,353.87
Everett	\$10,000,000.00	8%	\$1,595,211.43
Malden	\$10,000,000.00	1%	\$125,977.26
Medford	\$10,000,000.00	0%	\$74,138.99
Somerville	\$10,000,000.00	5%	\$1,024,395.81
MA (Statewide)	-	57%	\$ 11,682,847.37



# Compliance

*Encore*<sup>®</sup>  
BOSTON HARBOR  
A WYNN RESORT

# Compliance: Minors<sup>1</sup> Prevented from Gaming

Month	Minors Intercepted on Gaming Floor and Prevented from Gaming	Minors Intercepted Gaming	Minors Intercepted at Slot Machines	Minors Intercepted at Table Games	Minors Intercepted Consuming Alcohol	Number of IDs NOT Checked that Resulted in Minor on Gaming Floor	Number of Fake IDs Provided by Minors that Resulted in Minor on Gaming Floor	Numbers of Minors on Gaming Floor Under 18 Years of Age
January	3	0	0	0	0	2	0	0
February	13	3	3	0	2	0	1	5
March	4	3	2	1	1	1	1	1
<b>Total</b>	<b>20</b>	<b>6</b>	<b>5</b>	<b>1</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>6</b>

1 A “minor” is defined as a person under 21 years of age, provided however, that the last column of the above specifically refers to persons under 18 years of age.

- The average length of time spent by a minor on the casino floor was 26 minutes.
- The longest length of time spent by a minor on the casino floor was 1 hours, 52 minutes.
- The shortest length of time spent by a minor on the casino floor was 1 minute.

# Promotions and Marketing Update

*Encore*<sup>®</sup>  
BOSTON HARBOR  
A WYNN RESORT

# Q1 TRU Patron Charitable Contributions

Charitable Organization	Dollar Amount	Number of Tickets
Boston Area Rape Crisis Center	\$9,211.91	51,048
Bread of Life	\$9,642.90	52,125
Disabled American Veterans	\$15,178.14	65,287
Mystic River Watershed Association	\$5,605.76	41,244
<b>Total</b>	<b>\$39,638.71</b>	<b>209,704</b>



# Special Events and Volunteerism

*Encore*<sup>®</sup>  
BOSTON HARBOR  
A WYNN RESORT

*Encore*  
BOSTON HARBOR  
A WYNN RESORT



# Forbes Update from Damien O'Riordan, Executive Vice President – Operations

- Forbes 5 Star Hotel & Spa!
- Forbes 4 Star Rare Steakhouse
  - Highest rated steakhouse in Boston!
- Largest 5 star gaming resort outside of Las Vegas!
- There are only six 5 Star Gaming Resorts in North America.
- Largest 5 star resort on the East Coast.
- Encore Boston Harbor is one of only five Forbes 5 Star Properties in Boston.
- The Spa is 1 of only 3 Five Star Spas in the city!

*Encore*<sup>®</sup>  
BOSTON HARBOR  
A WYNN RESORT

**Forbes** ★★  
TRAVEL GUIDE




# FORBES TRAVEL GUIDE IS THE ONLY INDEPENDENT, GLOBAL RATING SYSTEM FOR LUXURY HOSPITALITY

Forbes TRAVEL GUIDE Where do you want to go?

MACAU RESTAURANTS | MACAU, CHINA

## Lai Heen





Macau's haute, sky-high Chinese restaurant



VERIFIED LUXURY  
LEARN HOW WE INSPECT

The highest Chinese restaurant in Macau lives up to its lofty location – Lai Heen, residing on the 51st floor of the recently opened The Ritz-Carlton, Macau, serves elevated (literally) Cantonese food in a dreamlike space ...

READ MORE

SHARE    



Forbes TRAVEL GUIDE Where do you want to go?

MALDIVES HOTELS | VOMMULI, MALDIVES

## The St. Regis Maldives Vommuli Resort

Marine-inspired Maldivian luxury

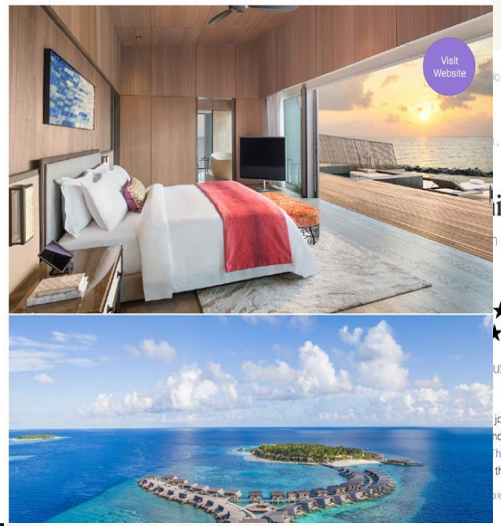
HEALTH SECURITY VERIFIED



VERIFIED LUXURY  
LEARN HOW WE INSPECT

Outfitted for both romance and family vacations, The St. Regis Maldives Vommuli Resort is an island oasis. The resort stands upon an exquisite 22-acre paradise in the southern Dhaalu Atoll, a 45-minute seaplane journey ...

READ MORE




Forbes TRAVEL GUIDE Where do you want to go?

PHOENIX, ARIZONA, UNITED STATES

## Phoenician Spa





Phoenician Spa in the Arizona desert

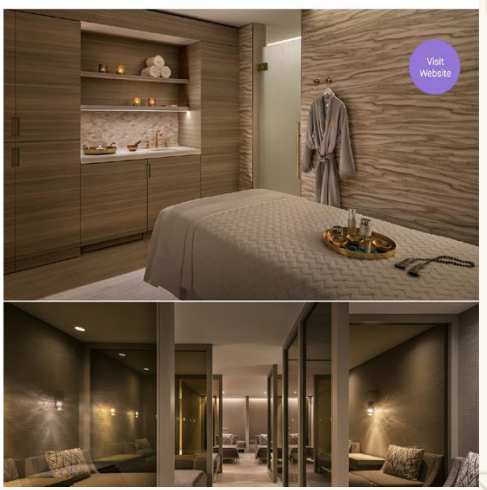


VERIFIED LUXURY  
LEARN HOW WE INSPECT

Phoenician Spa's journey to that of a rising star began with a brand-new look in 2018, its first Phoenix hotel opened three-story space ...

READ MORE

SHARE    



Encore<sup>®</sup>  
BOSTON HARBOR  
A WYNN RESORT





# WHAT FORBES EVALUATES

Up to **900 standards** across every guest-facing department in The Hotel/ Fine Dining & Spa.

Hotel composite score combines:

**75%** Service

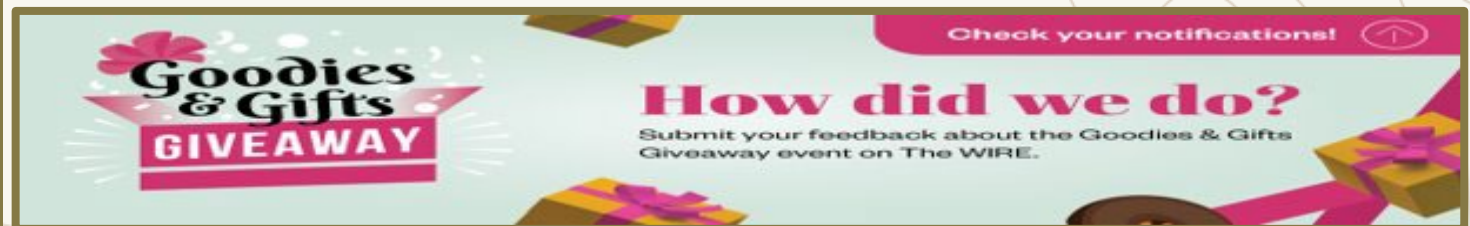
**25%** Facility

FORBES CLASSIFICATIONS	
Cleanliness & Condition	Graciousness, Thoughtfulness & Sense of Personalized Service
Courtesy & Manners	Sense of Luxury
Efficiency	Staff Appearance
Food & Beverage Quality	Technical Execution, Skill & Knowledge
Guest Comfort & Convenience	Wellness

*Encore*<sup>®</sup>  
 BOSTON HARBOR  
 A WYNN RESORT

# Goodies & Gifts Giveaway

- ❖ Team member appreciation event where employees received doughnuts and pastries along with the chance to win prizes.



# Human Trafficking Awareness Campaign and Employee Trainings



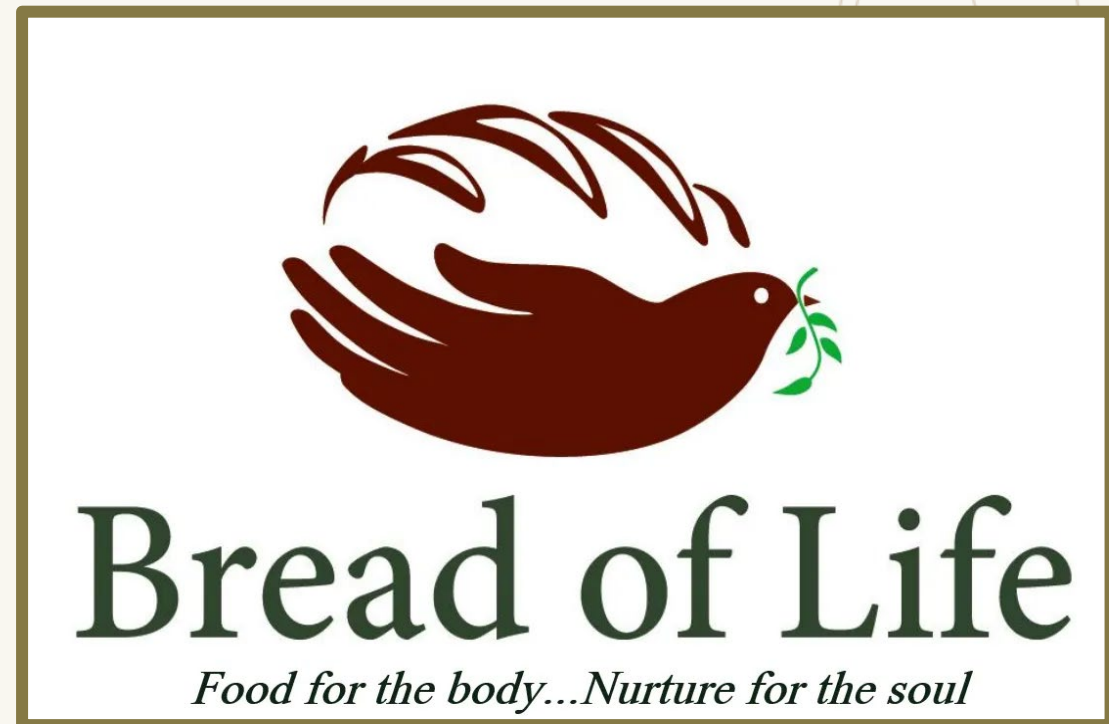


# Problem Gaming Awareness Month



# Bread of Life Food Drive

- ❖ EBH team collected more than 2,100 pounds of food for Bread of Life food pantry in Malden



# Employees Volunteered 1,074 Hours

- ❖ EBH team volunteered 1,074 hours of their time serving organizations such as Cradles to Crayons, Casa Myrna and the Mystic River Watershed Association





# Wynn Resorts Named Travel + Leisure Global Vision Award Honoree

- ❖ Awarded to companies, individuals, destinations and organizations “taking strides to develop more sustainable and responsible travel products, practices, and experiences.
- ❖ Honorees demonstrate leadership and creative problem solving and are taking actionable, quantifiable steps to protect communities and environments around the world.
- ❖ Wynn Resorts’ mentioned contributions:
  - 160-acre solar farm at Wynn Las Vegas which reduced the hotel’s carbon footprint by 20%
  - 70% of food waste cut from restaurant kitchens at Wynn Macau
  - Rooftop solar array and four-megawatt batteries at Encore Boston Harbor
  - Goal of net-zero carbon emissions by 2050 by switching 50% of energy use to renewables by 2030

# Accommodations for Visually Impaired



- ❖ At check-in and in resort guest rooms:
  - At check-in, guests are read hotel policies and procedures aloud by registration staff.
  - Room Valet® systems are installed in accessible guest rooms featuring alarms, noise prompts and shaker pads for guest beds. A member of the engineering team accompanies guest to their guest room to demonstrate the system.
  - Our team is working toward Room Valet® integration with guest's personal devices.
  
- ❖ On the casino floor:
  - Cheques are placed for the guest on table games.
  - Card and tile values are read to guests.
  - Results of card, dice, ball rolls, or any outcome of a gaming decision where a relevant guest's money is involved is announced.





Questions?



TO: Chair Cathy Judd-Stein, Commissioners Bradford Hill, Eileen O'Brien,  
and Nakisha Skinner

FROM: 2022 Community Mitigation Fund Review Team

CC: Karen Wells, Executive Director, Todd Grossman, General Counsel

DATE: May 20, 2022

RE: 2022 CMF Community Planning Applications and Three Specific Impact/Public Safety  
Applications

---

The first portion of this memorandum provides an analysis of the Community Planning applications for funding from the 2022 Community Mitigation Fund ("2022 CMF"). Due to the large volume of Specific Impact and Public Safety applications this year, we have also included three of the applications in these categories for review. Copies of all the applications can be found at <https://massgaming.com/about/community-mitigation-fund/>.

The Community Mitigation Fund Review Team ("Review Team") reviewed the applications to ensure that they follow the 2022 CMF Guidelines. As part of this review process, copies of the applications were sent to the licensees for their review and comment. Conference calls and remote meetings were held between the applicants and the Review Team. Requests for supplemental information were submitted to the applicants so they could provide further clarification on their application. Numerous meetings were held by the Review Team to ensure a thorough review of every application.

#### **Recommendations of the Review Team**

To effectuate a consistent and efficient system to analyze the applications, the Review Team utilized the review criteria specified in the 2022 Guidelines. This summary will mention some significant factors for these applications. The Review Team also compiled charts demonstrating how each of the criteria is reflected in the applications. Among the criteria are:

- A demonstration that the impact is being caused by the proposed gaming facility;
- The significance of the impact to be remedied;
- The potential for the proposed mitigation measure to address the impact;
- The potential for the proposal to maximize the economic impact of the gaming facility; and
- The feasibility and reasonableness of the proposed mitigation measure.

➤ **Recommended Community Planning Awards by the Review Team.**

	<i>Applications Received</i>	<i>Review Team Recommendation</i>
<b>Everett</b> – Industrial District Design	<i>\$100,000</i>	<i>\$100,000</i>
<b>Foxborough/Plainville/Wrentham</b> – Regional Destination Marketing	<i>\$136,000</i>	<i>\$136,000</i>
<b>Lynn</b> – Marketing Campaign- <i>withdrawn</i>	<i>\$100,000</i>	<i>\$0</i>
<b>Malden</b> – Arts Center	<i>\$100,000</i>	<i>\$100,000</i>
<b>Medford</b> – Wellington Rail Trail Study	<i>\$100,000</i>	<i>\$100,000</i>
<b>Northampton</b> – Marketing Program	<i>\$75,000</i>	<i>\$75,000</i>
<b>Revere</b> – Place Making & Branding	<i>\$100,000</i>	<i>\$100,000</i>
<b>Springfield/ West Springfield/ Holyoke</b> – Tourism Hotel Promotion	<i>\$315,000</i>	<i>\$0</i>
<b>Total:</b>	<i>\$1,026,000</i>	<i>\$611,000</i>

**EVERETT – Industrial District Design**

**Summary:** The City of Everett is requesting \$100,000 to develop design guidelines for potential new development in the Everett Designated Port Area/Industrial District. This project is a continuation of the Designated Port Area (DPA) study funded in an earlier CMF round and will allow the City to refine zoning policies and design guidelines that will allow for a mix of industrial and mixed-use development in the DPA and industrial areas bordering the Lower Broadway and Entertainment District.

**Analysis:** The Review Team recommends awarding the full amount of \$100,000 to the City of Everett to refine zoning policies and develop design guidelines in the DPA and Industrial District.

Prior to the construction of Encore Boston Harbor, the Lower Broadway area consisted of a mix of residential and industrial uses. The development of Encore has caused a significant acceleration in the number of real estate transactions in the area that are expected to be redeveloped in the near future. In order to get ahead of this development curve, Everett first looked at its DPA to evaluate the best mix of uses in that area that would be consistent with DPA requirements while not conflicting with the redevelopment of Lower Broadway. Outside of the limits of the DPA, there are significant industrial parcels that are also under redevelopment pressures. The Review Team agrees that the rapid pace of redevelopment in the area is associated with the development of Encore.

Rather than allowing unfettered re-development of these areas, Everett is looking to refine zoning policies and develop design guidelines that will allow for a mix of industrial and mixed-use development in these areas that complements the expected development on Lower Broadway while also ensuring

that new development is environmentally sound, re-connects formerly isolated areas to the rest of the City and is accessible both physically and economically to Everett residents.

The Review Team agrees that this effort will help ensure that new development will not negatively impact Encore Boston Harbor as well as the anticipated further development of the Lower Broadway Entertainment District and therefore, recommends award of these funds.

**Licensee Response:** “Encore Boston Harbor supports the City of Everett’s funding request for a continued study on the Everett Designated Port Area (“DPA”) to build upon previous work that developed design guidelines and potential new development in the Everett DPA.

Encore Boston Harbor is humbled to have played a role into the resurgence of the City of Everett and is grateful to its residents, business owners, local leaders, and public safety officials for their partnership. We are proud to support the City’s continued efforts to grow and develop.”

### **FOXBOROUGH/PLAINVILLE/WRENTHAM – Regional Destination Marketing**

**Summary:** The Towns of Foxborough, Plainville and Wrentham are requesting \$136,000 to continue to develop their Regional Destination Marketing Initiative. The intent of this initiative is to attract visitation to the region by leveraging the presence of three major draws – Plainridge Park Casino (PPC), Wrentham Village Premium Outlet Mall and Patriot Place/Gillette Stadium.

**Analysis:** The Review Team recommends awarding the full amount of \$136,000 to Foxborough, Plainville and Wrentham to further develop this regional marketing initiative.

The Commission awarded Foxborough/Plainville/Wrentham a grant in 2019 to develop a marketing plan for the region. This grant would be a continuation of that effort including brand development, professional photography, B-roll/videos, etc. The intent of this effort is to take advantage of the presence of PPC to attract new visitors to the region while encouraging existing visitors to explore the many businesses/attractions in the region. The Review Team agrees that there is a sufficient nexus to the casino in that the 2022 CMF Guidelines specifically identify the leveraging of casino business as an appropriate use of Community Planning funds.

The development of this initiative will provide the region with the necessary tools to market the three communities to target audiences of leisure and group travelers. The inclusion of Plainville and PPC in the marketing initiative certainly demonstrates the leveraging of the presence of the casino, but also has the potential to improve business at the casino itself. The Review Team agrees that the implementation of this initiative will help the region recapture some of the “lost opportunity costs” identified in the Guidelines.

For these reasons, the Review Team recommends awarding this grant.

**Licensee Response:** PPC did not provide any comments regarding this application.

### **LYNN – Marketing Campaign**

**Summary:** Lynn is requesting \$100,000 to sustain its marketing plan that was developed through a 2021 Community Mitigation Fund Grant. Lynn intends to use these funds to further develop and expand their marketing to attract entertainment seekers, shoppers, and restaurant patrons to Lynn.

**Analysis:** Lynn has withdrawn its application for a 2022 Community Planning Grant.

Lynn was awarded a Community Planning Grant in 2021 for the development of its marketing program. The first portion of the grant money was used to develop a marketing video, which was done in conjunction with the MA Office of Travel and Tourism. The second part of the grant was to contract with a marketing professional to create a comprehensive marketing plan. Lynn advertised for bids on that project and received no responses. Lynn believes that the lack of response is likely due to the relatively small amount of money available to develop the plan.

Lynn intends to put this project back out to bid again in hopes of finding some bidders. If that is not successful, the City may look to develop some of this plan in-house. They have recently hired additional planning professionals that may be able to assist in those efforts. Depending on the results of the bidding, Lynn may have to come back to the Commission for an amendment if they are looking to revise their approach.

Given these delays in implementing their 2021 Grant, the City felt that it would be premature to advance the 2022 application and have withdrawn it from further consideration.

The Review Team would like to thank Lynn for applying for mitigation funds and would encourage them to apply for future funds should the 2021 effort move forward successfully.

**Licensee Response:** “Encore Boston Harbor supports the City of Lynn’s initiation of a marketing campaign to promote businesses within the City of Lynn. If the Massachusetts Gaming Commission determines that this request is aligned with the established fund guidelines, Encore Boston Harbor is happy to endorse the same. We wish the City of Lynn well in its business development initiatives.”

#### **MALDEN – Arts Center**

**Summary.** The City of Malden is requesting \$100,000 to perform a study to convert the former Malden District Courthouse into the Malden Center for Arts & Culture. The ultimate reuse of the courthouse is expected to attract new visitors to Malden Center and create a ripple effect by encouraging new visitors to patronize Malden’s shops and restaurants.

**Analysis:** The Review Team recommends awarding the full amount of \$100,000 to the City of Malden to complete the Malden District Courthouse Reuse Study. The Review Team further recommends that the grant not be awarded until the City can demonstrate that it has taken possession of the property.

Malden originally submitted this application to the Commission in 2021. The Commission did not award the grant primarily because the City had not yet acquired the building. As of today, the property involved in this application is currently going through the legislative process to be turned over by DCAMM to the City of Malden. The Review Team has investigated the status of this legislation, and it is expected to be approved before the end of the legislative session. For this reason, the Review Team is recommending that the grant not be awarded until the City has taken possession of the property.

The impact that this project is intended to address is a negative impact on businesses in the Malden Center “Gaming District.” As outlined in the 2022 CMF Guidelines, the Commission determined that the presence of a casino does have an impact on other local businesses such as restaurants, entertainment venues and other similar types of operations. As such, the Review Team agrees that there is a reasonable expectation of an impact on the types of businesses in Malden’s “Gaming District.”

The redevelopment of the courthouse into an Arts Center is expected to draw additional visitors to Malden Center. The City expects that the Arts Center will include one or more theaters that would

attract smaller events to Malden Center. Attracting new patrons to the downtown area is expected to have ancillary benefits to local restaurants and other venues in the “Gaming District.”

The Review Team agrees that the redevelopment of this space has the potential to increase business in Malden Center, thereby helping to offset business losses to the casino.

**Licensee Response:** “Encore Boston Harbor supports the City of Malden’s efforts to redevelop the Malden District Court building into a vibrant arts center intended to serve the community and the residents of Malden. We’re pleased that the Massachusetts Gaming Commission, through the Community Mitigation Fund resources, can contribute to addressing the needs of our neighboring communities and make a lasting impact for years to come.”

### **MEDFORD – Wellington Transformation Study**

**Summary:** The City of Medford is requesting \$100,000 to complete a planning study for the revitalization of the Wellington area of Medford. The study will look at land use, redevelopment, urban design, infrastructure and economic development recommendations.

**Analysis:** The Review Team recommends awarding the full amount of \$100,000 to the City of Medford for the Wellington Transformation Study.

The proposed 165-acre study area is currently comprised of surface parking lots and underutilized commercial and industrial property. As outlined in the 2022 CMF Guidelines, the Commission has determined that the presence of a casino has an impact on local businesses such as restaurants, retail and entertainment venues. The City of Medford is looking to re-evaluate the mix of land uses in the area to attempt to take advantage of the economic opportunities derived from Encore Boston Harbor. The Review Team agrees that there is a reasonable expectation of a casino related impact on businesses in the Wellington area.

In order to fully realize the benefits of its proximity to Encore, Medford is looking to perform a transformation study of the Wellington neighborhood to develop a cohesive vision for transit oriented, mixed-use development that can attract new investment. Medford seeks to hire a consultant to perform the study that will include appropriate zoning, land-use, access and infrastructure improvements to both mitigate any negative impacts of the casino as well as take advantage of new economic opportunities derived from Encore.

The Review Team agrees that a re-evaluation of existing land uses has the potential to encourage new investment in the area which will help to mitigate negative impacts and target opportunities that are created by Encore.

**Licensee Response:** “Encore Boston Harbor supports the City of Medford’s funding request to complete a study intended to provide a basis for decision-making about land use planning, transportation, public infrastructure, and zoning modifications for the Wellington area’s future. Encore Boston Harbor has been and always will be committed to establishing a meaningful and collaborative partnership with the City of Medford. In addition to its support through providing funds to the City under the relevant Surrounding Community Agreement, Encore Boston Harbor is happy to support Medford’s application.”



## NORTHAMPTON – Marketing Program

**Summary:** Northampton is seeking \$75,000 to continue development of the “northampton.live” website which was the City’s first marketing initiative and has proven to be an informative website reaching thousands of local and regional viewers.

**Analysis:** The Review Team recommends awarding the full amount of \$75,000 to the City of Northampton to continue the development of the northampton.live website. The Review Team further recommends that the City develop and provide to the Commission a plan that outlines the specific steps that Northampton will take to transition this website into a self-sustaining platform. This plan should be submitted with the first quarterly report on this grant to be submitted on October 1, 2022.

The Commission has awarded several grants to the City of Northampton for the development of its northampton.live website. In 2020, the Commission awarded a grant with the understanding that the City would make efforts to fund the website locally. Of course, the ongoing pandemic had significant impacts on Northampton businesses which hampered the City’s ability to identify reliable sources of funding to make this program self-sustaining, therefore grant funds were again provided in 2021.

The Review Team did not envision funding northampton.live beyond 2021. Many of the initiatives which had been planned for 2021 to make the platform financially independent according to Northampton were unable to come to fruition due to the length and intensity of COVID-19 and its impacts on local businesses. The northampton.live team was able to utilize the platform as a way to support small businesses and the community throughout the pandemic.

As in previous years, the Review Team agrees that the marketing prowess of a company like MGM puts tourism related communities like Northampton at a disadvantage, and that the development of the northampton.live website has helped improve Northampton’s ability to compete. By all accounts, the website has been very successful and is greatly appreciated by local companies.

As these are planning grants, the Commission has limited the work on these programs to the actual development of the platform – we have not funded day-to-day operational costs. In the request for supplemental information and during a subsequent meeting with City officials, the Review Team was assured that the costs presented were only for the further development of the website.

As Covid related restrictions have been removed and many businesses are approaching or meeting pre-pandemic sales levels, the Review Team again requested additional information regarding the long-term sustainability of this platform. During our meeting with City officials, the Review Team was assured that funds provided in 2022 would put the development of this platform “over the finish line.”

Over the last couple of years, the Commission has understood the difficulties that local communities and businesses have been through and has tried to respond to those while remaining within the parameters of the CMF. It is the Review Team’s recommendation that programs like this should not rely on continued CMF funding every year to make them successful. Therefore, we are recommending that a condition be placed on this grant requiring the submission of a plan that outlines the specific steps that Northampton will take to transition this to a self-sustaining model.

The Review Team was somewhat reluctant to recommend this program for another year. However, considering the challenges thrown up by Covid, the Review Team understands the difficulties Northampton has had in developing sources of ongoing funding and therefore recommends awarding funds for 2022.

**Licensee Response:** “MGM Springfield supports the grant applications. Ensuring that the mitigation funds remain in Western Massachusetts and are used to enhance the area is important to MGM Springfield.”

### **REVERE – Broadway Place-Making & Branding**

**Summary:** Revere is requesting \$100,000 to analyze opportunities and develop best practices to establish Broadway as a full service and viable commercial destination for residents and visitors. The goal is to advance initiatives related to district identity, brand association, improved public realm and cross marketing campaigns.

**Analysis:** The Review Team recommends awarding the full amount of \$100,000 to the City of Revere for Place-making and branding for the Broadway corridor.

The proposed project involves the development of a brand and specific messaging associated with Broadway, installation of wayfinding signage and development of a marketing campaign for Broadway. As outlined in the 2022 CMF Guidelines, the Commission determined that the presence of a casino has impacts on certain area businesses such as restaurants, retail, and entertainment venues. The Guidelines also identify opportunities for leveraging the presence of the casino to attract additional customers to local businesses. The Review Team agrees that there is a reasonable expectation of an impact on Broadway businesses.

Through this effort, the City of Revere is attempting to improve its visibility to help attract local and regional visitors to help offset any negative impacts of the casino. Also, in conjunction with the earlier CMF funded tourism video, the proposed marketing plan is expected to help attract casino patrons and other area visitors to the Broadway area.

The Review Team agrees that improving visibility and marketing the Broadway area has the potential to increase the number of visitors to Broadway to help offset any negative impacts of the casino and help leverage the presence of the casino to the benefit of Revere. Therefore, the Review Team recommends awarding these funds.

**Licensee Response:** “Encore Boston Harbor generally supports the City of Revere’s community planning initiatives. If the Massachusetts Gaming Commission determines that this request is aligned with the established fund guidelines, Encore Boston Harbor is happy to endorse the same. We wish the City of Revere well in its business development initiatives.”

### **SPRINGFIELD/WEST SPRINGFIELD/HOLYOKE – Tourism Hotel Promotion**

**Summary:** The Cities of Springfield, Holyoke and West Springfield are seeking \$315,000 to fund a tourism hotel promotion called “The Fun’s On Us.” This program is designed to encourage overnight hotel stays and boost hotel occupancy in the Springfield area.

**Analysis:** After careful consideration and multiple meetings regarding this application the Review Team does not recommend awarding funding for this application. There are several reasons why the Review Team did not recommend this application which are outlined below.

The intent of this promotion is to incentivize travel to western Massachusetts by providing \$100 Visa gift cards to patrons that spend two nights at a participating regional hotel. This program would be



administered by the Greater Springfield Convention and Visitors Bureau and would be marketed through advertisements in the New Haven, Providence and Boston markets. The promotion includes several elements: \$15,000 for creative development; \$135,000 for media buys/outreach efforts and \$135,000 for gift cards.

The impact identified in the application is that the hotel industry added a significant number of hotel rooms to the Springfield area with the expectation that MGM Springfield would create additional demand for those rooms; and that since the opening of MGM, that demand has not materialized. The application identifies the addition of 862 rooms to the area (including the 240 constructed by MGM) between 2013 and 2019. In support of this impact, the application included a chart showing Hampden County hotel occupancy from 2014 through November of 2021. The application states that “with the exception of the first two months of the casino’s opening, every month since there has been a monthly decrease in the occupancy compared to the previous year.” In reviewing this chart, the Review Team was not convinced that it identified any significant trends. Clearly, the 2020 and much of the 2021 data could not be relied upon due to Covid related issues. Otherwise, when looking at the chart, 2018 appears to be an outlier as the monthly occupancy rates are consistently higher than other years presented in the chart.

The information presented also does not account for the increase in hotel rooms. For example, if there were a 60% occupancy rate on 1,000 rooms in 2014 and a 60% occupancy rate on 1,500 rooms in 2019, there would be more room night stays in 2019 than 2014. It is not possible to derive this information from the chart. The Review Team requested room night data from the applicant but were told that it was not available.

The intent of the Community Planning Grant is to assist communities in developing plans to either mitigate an existing casino related impact or leverage the presence of a gaming establishment to help improve or attract business to a community. Community Planning projects have often involved the development of marketing plans, tourism plans, or other types of plans that would target casino patrons and employees to come to a local community. While this application is certainly tourism related, only a very small portion of the application appears to be planning related. The \$15,000 identified for creative development would appear to qualify under this provision, but the remainder of the funds are primarily for program implementation. The 2022 CMF guidelines state “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 Review Team has always interpreted this provision as requiring the development of an implementation plan, not the actual funding of implementation.

In addition to the above items, there is a question as to whether the distribution of gift cards raises issues under the Massachusetts Constitution’s Anti-aid Amendment. The Anti-aid Amendment essentially prohibits expenditures of public funds to private recipients where those expenditures substantially benefit the private entity. The crux of the issue tends to fall on whether the public entity is the primary or secondary beneficiary of the expenditures, and whether a private entity receives a direct benefit. Given that this application requests the disbursement of funds from the Community Mitigation Fund specifically to be used to purchase gift cards that would be given to private individuals, the Review Team had concerns under the Anti-aid amendment. Although the communities would certainly benefit from the underlying marketing scheme of getting patrons to the hotels to obtain the gift cards (and may also benefit from the expenditures of the gift cards if they are ultimately used locally), there are questions as to whether the communities would be the primary beneficiary of those funds or whether

the primary beneficiaries would be the private businesses at which the gift cards are ultimately used. If the Commission disagrees with the Review Team’s recommendation on the first two grounds, this question may require further review.

For all these reasons, the Review Team was unable to recommend funding of this application.

**Licensee Response:** “MGM Springfield supports the grant applications. Ensuring that the mitigation funds remain in Western Massachusetts and are used to enhance the area is important to MGM Springfield.”

➤ **Recommended Public Safety and Specific Impact Awards by the Review Team.**

	<i>Applications Received</i>	<i>Review Team Recommendation</i>
Boston- Problem Gambling - <i>Withdrawn</i>	<i>\$500,000</i>	<i>\$0</i>
Hampden County Sheriff Department	<i>\$400,000</i>	<i>\$400,000</i>
Saugus Public Safety	<i>\$187,000</i>	<i>\$187,000</i>
<b>Total:</b>	<b><i>\$1,087,000</i></b>	<b><i>\$587,000</i></b>

**BOSTON – Problem Gambling**

**Summary:** The city of Boston is requesting \$500,000 to develop a pilot program for community-defined and culturally specific activities that will serve as preventive strategies to address problem gambling.

**Analysis:** The City of Boston has withdrawn their application for a 2022 Specific Impact Grant.

The Review Team was intrigued with the application from the City of Boston regarding strategies to address problem gambling. The application included significant information that connects problem gambling to the gaming industry. The Review Team was satisfied that the City had made the necessary nexus to an impact of the casino.

However, in our review of the application, it was noted that there was not much specificity in how the programs would be structured to address the identified impact. In our Request for Supplemental Information (RSI), we asked the City to provide additional information regarding the particular activities that would be funded and how they would be implemented and evaluated. After receiving the RSI, the City determined that they had underestimated the level of detail that was needed in the application and that further development of the grant application would extend well beyond the time frame necessary for the Commission to act. At that point, the City asked to withdraw the application.

This was the first time any community had requested CMF funds for problem gambling. We certainly do not want to discourage anyone from applying to the fund, but the Commission does require a certain level of specificity in the applications to ensure that funds are being spent appropriately. We would encourage the City to continue to explore this avenue and would be pleased to meet with them outside of this process to discuss how a project like this might be appropriately structured.

**Licensee Response:** “Encore Boston Harbor supports the City of Boston’s development of a pilot program of community defined and culturally specific activities that will serve as preventative strategies and address problem gambling.

We wish Mayor Wu and the City of Boston well in its efforts to combat problem gambling and this effort will continue to be one which Encore Boston Harbor fully supports.”

**HAMPDEN SHERIFF’S DEPARTMENT – Lease Assistance**

**Summary:** The Hampden County Sheriff’s Department (HCSD) is requesting \$400,000 for lease assistance at its Western Massachusetts Recovery and Wellness Center (WMRWC). This is the seventh year of a

ten-year lease which resulted from the relocation of WMRWC from 26 Howard Street to 155 Mill Street Springfield, MA. HCSD has experienced a significant lease offset due to this forced move to make way for the MGM Casino.

**Analysis:** The Review Team recommends awarding the full amount of \$400,000 to HCSD for continued lease assistance.

The Commission has provided lease assistance in the amount of \$400,000 to the WMRWC for the last six years. The first five years of these grants were based on an agreement reached during the 2016 grant round and expired with the 2020 grant. During the 2020 grant round, the Sheriff's Department asked the Commission to consider renewing this agreement for another five years. After consultation with the Commission, the Subcommittee on Community Mitigation and Local Community Mitigation Advisory Committees, it was determined that the Sheriff's Department would need to apply to the Community Mitigation Fund as would any other eligible entity.

As in previous years, the Review Team acknowledges the vital role of this facility to the Springfield region. There is clearly a nexus to MGM as the old facility was in the footprint of the casino site, and the cost of the lease at 155 Mill Street is significantly higher than the old lease. Upon review of the application, the Review Team believes that the HCSD has demonstrated its continued need for this funding. Therefore, the Review Team recommends awarding a grant in the amount of \$400,000 to HCSD.

**Licensee Response:** "MGM Springfield supports the grant applications. Ensuring that the mitigation funds remain in Western Massachusetts and are used to enhance the area is important to MGM Springfield."

### **SAUGUS - Rail Trail Solar Lighting**

**Summary:** The City of Saugus is seeking \$187,000 in CMF funds to purchase solar lighting for a section of the Northern Strand rail trail, that runs from the Encore casino area to Saugus. The funds will be used for the purchase and installation of 43 stand-alone solar lights.

**Analysis:** The Review Team recommends awarding the full amount of \$187,000 to the City of Saugus for solar lighting on the Northern Strand Community Trail.

The Northern Strand Community Trail was recently extended from its terminus in Malden through Revere and Saugus into Lynn. It is now an approximately 11.5-mile paved trail that extends from Encore Boston Harbor to Lynn.

The provision of multi-use trails in the area provides alternative transportation options for patrons and employees of the casino as well as many other users. One of the key concerns in the development of Encore Boston Harbor was the amount of traffic that the facility generates as well as the multi-modal options being provided (boats, shuttles, bike lanes) to reduce the number of cars going to the site. Since Encore opened, the trail network in the vicinity has been improved in several areas including the extension of the Northern Strand. The Review Team agrees that the provision of multi-use trails has the ability to take vehicles off the road and help mitigate the traffic impact associated with Encore.

In this case, it is not the provision of the trail itself, but extending its usable hours by providing lighting to the trail. The provision of lighting on the trail would allow for extended use of the trail particularly during the times of the year when the sun sets earlier. This would allow casino patrons and employees

and other commuters to use the trail later into the evening. The Review Team agrees that extending the use times of the trail has the potential to help reduce the number of cars on the road.

In 2021, the Commission awarded a grant to Everett to provide lighting on its portion of the Northern Strand, however that project was done under the Transportation Construction category. Saugus is requesting these funds under the Public Safety category.

When the Public Safety category was added to the Guidelines, it was envisioned that these would be grants for public safety agencies (police, fire, EMS). However, there is no prohibition from other entities applying under this category. The Review Team asked Saugus to address why they filed under the Public Safety category rather than Transportation Construction. They responded that the Saugus Public Safety Department had received a variety of safety related calls about the use of the Northern Strand at night and that there was interest in providing a safer nighttime environment on the trail. Saugus also noted that a 2018 study commissioned by New York City found that crime was reduced 39% by the addition of lighting to public use spaces. The Review Team agrees that this project certainly could be considered a Public Safety issue.

Ultimately, the Review Team agreed to recommend awarding a grant under the Public Safety category as there is a significant public safety aspect to this project.

**Licensee Response:** “Encore Boston Harbor supports public safety initiatives in the Town of Saugus. If the Massachusetts Gaming Commission determines that this application is aligned with the established fund guidelines, Encore Boston Harbor is happy to endorse the same.”

## Regulation Review Checklist

Agency Contacts for This Specific Regulation		
Name	Email	Phone
Carrie Torrisi		
Overview		
<b>CMR Number</b>	205 CMR 116.03	
<b>Regulation Title</b>	Waivers	
<input checked="" type="checkbox"/> <b>Draft Regulation</b>		<input type="checkbox"/> <b>Final Regulation</b>
Type of Proposed Action		
✓ <b>Please check all that apply</b>		
<input type="checkbox"/> Retain the regulation in the current form.		
<input type="checkbox"/> New regulation (Please provide statutory cite requiring regulation):		
<input type="checkbox"/> Emergency regulation (Please indicate the date regulation must be adopted):		
<input checked="" type="checkbox"/> Amended regulation (Please indicate the date regulation was last revised): 1/29/16		
<input type="checkbox"/> Technical correction		
<input type="checkbox"/> Other Explain:		

Summary of Proposed Action
The proposed amendment will change the phrase “less than” to “up to” to make it consistent with the statute
Nature of and Reason for the Proposed Action
G.L. c. 23K, §14(c) states that “[t]he Commission may waive the licensing requirements for institutional investors holding <i>up to</i> 15 per cent of the stock of the applicant company or holding, intermediary or subsidiary company of the applicant company.” (emphasis added)
The current regulations reads <i>less than</i> rather than <i>up to</i> ; this change will make the regulation consistent with the statute.

## Regulation Review Checklist

--

### Additional Comments or Issues Not Earlier Addressed by this Review

--

### Required Attachments

✓ Please check all that apply

Redlined version of the proposed amendment to the regulation, including repeals

Clean copy of the regulation if it is a new chapter or if there is a recommendation to retain as-is

Text of statute or other legal bases for regulation

Small Business Impact Statement (SBIS)

Amended SBIS

## 205 CMR 116.00: PERSONS REQUIRED TO BE LICENSED OR QUALIFIED

### 116.03: Waivers

(1) The commission may in its discretion waive qualification requirements for the following persons under the following conditions:

(a) In the case of applicant corporations and holding, intermediary and subsidiary corporations, those persons holding less than 5% of the common stock of the company;

(b) In the case of institutional investors, if the institutional investor holds ~~less than~~ up to 15% of the stock of the applicant, holding, intermediary or subsidiary company;

(c) In the case of persons involved in the financing of the gaming establishment provided:

1. A lender to an applicant or licensee that is obtaining financing for the construction or operation of a Category 1 or Category 2 facility shall be required to be licensed unless the following apply:

a. The lender is in the business of providing debt or equity capital to individuals or entities;

b. The loan is in the ordinary course of the lender's business; and

c. The lender does not have the ability to control or otherwise influence the affairs of the applicant or licensee.

2. A lender that is required to be licensed may lend to an applicant or licensee if the lender has filed a completed application in accordance with 205 CMR and has received lender authorization from the commission or bureau.

3. A person that acquires a debt instrument issued by an applicant or licensee in a public or exempt private offering shall not be required to be licensed if:

a. The person does not have any right or ability to control or influence the affairs of the licensee; and

b. The person's acquisition of the debt instrument is in the ordinary course of business and is not part of a plan or scheme to avoid the requirements of this section.

4. Notwithstanding any provision to the contrary in 205 CMR 116.00, the commission may require the licensure of any person that holds a debt instrument issued by an applicant or licensee if the commission has reason to believe that the person would not satisfy the requirements of 205 CMR or M.G.L. c. 23K; or



(d) In the case of any person that, in the opinion of the commission cannot exercise control or provide direction to a gaming licensee or applicant for a gaming licensee or a holding, intermediary or subsidiary company thereof.

(2) In determining whether to waive qualification requirements under 205 CMR 116.03(1), the commission shall consider whether the person seeking the waiver obtained its interest for investment purposes only and does not have any intention to influence or affect the affairs of the applicant or any affiliated companies thereof.

(3) Any person may seek a waiver under 205 CMR 116.03(1) by filing a petition with the Commission pursuant to 205 CMR 102.03(4): *Waivers and Variances*; provided, however, that the commission or the bureau may require the submission of any such information deemed necessary to act on the request for a waiver or, at any time, if the commission or the bureau has reason to believe that the person would not satisfy any of the requirements of 205 CMR or M.G.L. c. 23K.

(4) Any party granted a waiver under 205 CMR 116.03 which subsequently anticipates engaging in any activity that will or could influence or affect the affairs or operations of the applicant or the holding, intermediary or subsidiary company thereof, shall provide not less than 30 days' notice to the commission of such intent and the party shall not exercise any influence or effect on the affairs or operations of the applicant or the holding, intermediary or subsidiary company thereof unless and until the commission issues a determination of suitability under 205 CMR 115.00: *Phase I and New Qualifier Suitability Determination, Standards and Procedures* for said party.



## **SMALL BUSINESS IMPACT STATEMENT**

The Massachusetts Gaming Commission (“Commission”) hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2 relative to the proposed amendments to 205 CMR 116.03: Waivers; notice of which was filed with the Secretary of the Commonwealth. Specifically, amendments to **205 CMR 116.03 WAIVERS** will update specific language to comport with G.L. c. 23K.

This regulation was developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth, and is primarily governed by G.L. c. 23K, §4(28), 5.

The amendment to 205 CMR 116.03 applies to licensee institutional investors and the Commission. Accordingly, this regulation is unlikely to have an impact on small businesses. Under G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

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

As a general matter, no small businesses are subject to this regulation.

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

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

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

A specific design standard is required in this situation to ensure clarity of the calculation.

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

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

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



Massachusetts Gaming Commission

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

Massachusetts Gaming Commission  
By:

/s/ Carrie Torrissi  
Carrie Torrissi  
Associate General Counsel

Dated: May 25, 2022

DRAFT



Massachusetts Gaming Commission

TO: Chair Judd-Stein and Commissioners Eileen O'Brien, Brad Hill and Nakisha Skinner

FROM: Crystal Howard; Todd Grossman

CC: Karen Wells

DATE: May 19, 2022

RE: Legislative Update

---

As the 2021-2022 legislative session continues, commission staff continue to monitor proposed bills and legislative action related to gaming, racing, sports betting, and other industry-related topics. Updates are included below for legislation of interest to MGC.

### Sports Betting

The Senate passed its version of the sports betting bill on May 4, 2022 (amended version: [SB2862](#))

- The notable differences in the version of the Senate bill compared to the House bill ([HB3993](#)) include restricting wagers on collegiate sports, addressing tribal gaming applicable for category 1 licenses, placing a ban on gambling ads during live sports broadcasts, setting the tax rate at 20% in-person (vs. 12.5%) and 35% for mobile (vs. 15%) and eliminating the use of credit cards to fund a wagering account. The Senate bill also did not include "limited slot establishment" licenses for veterans' organizations.
- Similar to the House bill, the Senate bill includes language for occupational licenses, temporary licensure, reporting requirements, and instructs the Commission to conduct a study on the participation by minority business enterprises, women business enterprises and veteran business enterprises in the sports wagering industry.

On Tuesday, May 17<sup>th</sup>, a House conference committee was appointed consisting of Representatives Parisella, Michlewitz and Muradian. The Senate is expected to appoint a committee shortly. On Thursday, May 19<sup>th</sup>, the Senate conferees were announced including Senators Michael Rodrigues, Eric Lesser and Patrick O'Connor. The conference committee will collaborate to report a final compromised bill.

### Budget and Appropriations

- [HB4578](#) - **An Act making appropriations for fiscal year 2022 to provide for supplementing certain existing appropriations and for certain other activities and projects**, which includes extensive changes to prior appropriations to increase appropriations and allocate additional funds was signed by the governor in April. For MGC, a fiscal appropriation of \$391,240 is allocated to MGC 1050-0140. CFO

Lennon explained that this is the local aid payment item for cities and towns hosting racetracks. As handles have drastically increased, payments to tracks have increased and the past few years, the appropriation had not allowed for full payment to the cities and towns. This will aide in remedying that.

### Racing

In a previous update, we noted that we are watching two racing bills, which had both received extension orders through 6/1/2022. Currently, neither have additional updates.

- [SB2535](#) - An Act to revitalize agriculture, conditioning and simulcasting  
Establishes new GLs Chapter 23K<sup>1</sup>/<sub>4</sub> and Chapter 23K<sup>1</sup>/<sub>2</sub> to set out a framework for legal horse racing, wagering and simulcasting in the Commonwealth; creates a new State Racing Board responsible for overseeing the implementation of horse racing and the distribution of funds from several racing related trust funds; promotes the breeding of race horses within the Commonwealth.
- [HB448](#) - An Act concerning horse racing within the town of Great Barrington  
Prohibits the Massachusetts Gaming Commission, or any other state or local commission or agency, from granting a license for horse racing within the town of Great Barrington, unless or until the citizens of said Town approve such license and the resumption of horse racing in said Town at an annual town meeting and confirmed by a majority vote ballot in Great Barrington; defines horse racing.

Additionally, the Commission will be preparing communication regarding the extension of the racing deadline, which is currently set to end on July 31, 2022. (HB3976)

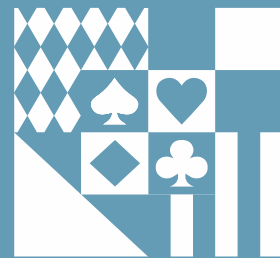
### Open Meeting Law- Remote Meetings

The Commission has a key interest in ensuring remote access to our public meetings continues beyond the current extension deadline of July 15, 2022. (In February, joint bill HB4345 was enacted, allowing public bodies to continue holding remote meetings without in-person attendance, continuing the temporary relief order put in place in 2020.) The Commission and Communications Chief, Tom Mills are distributing a letter to legislators in support of permanently allowing this remote meeting access, as it has great benefit for the public, the licensees, the Gaming Policy Advisory Committee and its subcommittees; and also allows for improved accessibility.



# Plainridge Park

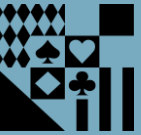
Q1 2022 Report



BARSTOOL SPORTSBOOK

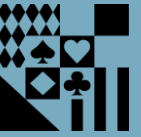


# Gaming Revenue and Taxes



Year	Quarter	Net Slot Revenue	State Taxes	Race Horse Taxes	Total Taxes
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	\$33,762,844	\$13,505,137	\$3,038,656	\$16,543,793
	<b>Total</b>	<b>\$139,347.782</b>	<b>\$55,739,113</b>	<b>\$12,541,300</b>	<b>\$68,280,413</b>
2022	Q1	\$33,730,006	\$13,492,002	\$3,035,701	\$16,527,703
	Q2				
	Q3				
	Q4				
	<b>Total</b>	<b>\$33,730,006</b>	<b>\$13,492,002</b>	<b>\$3,035,701</b>	<b>\$16,527,703</b>

# Lottery Sales

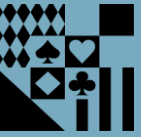


Quarter	2022	2021	\$ Difference	% Difference
Q1	\$507,710	\$458,540	\$49,170	10.7%
Q2		\$578,739		
Q3		\$582,981		
Q4		\$503,875		
<b>Total</b>	<b>\$507,710</b>	<b>\$2,124,135</b>	<b>\$49,170</b>	<b>10.7%</b>

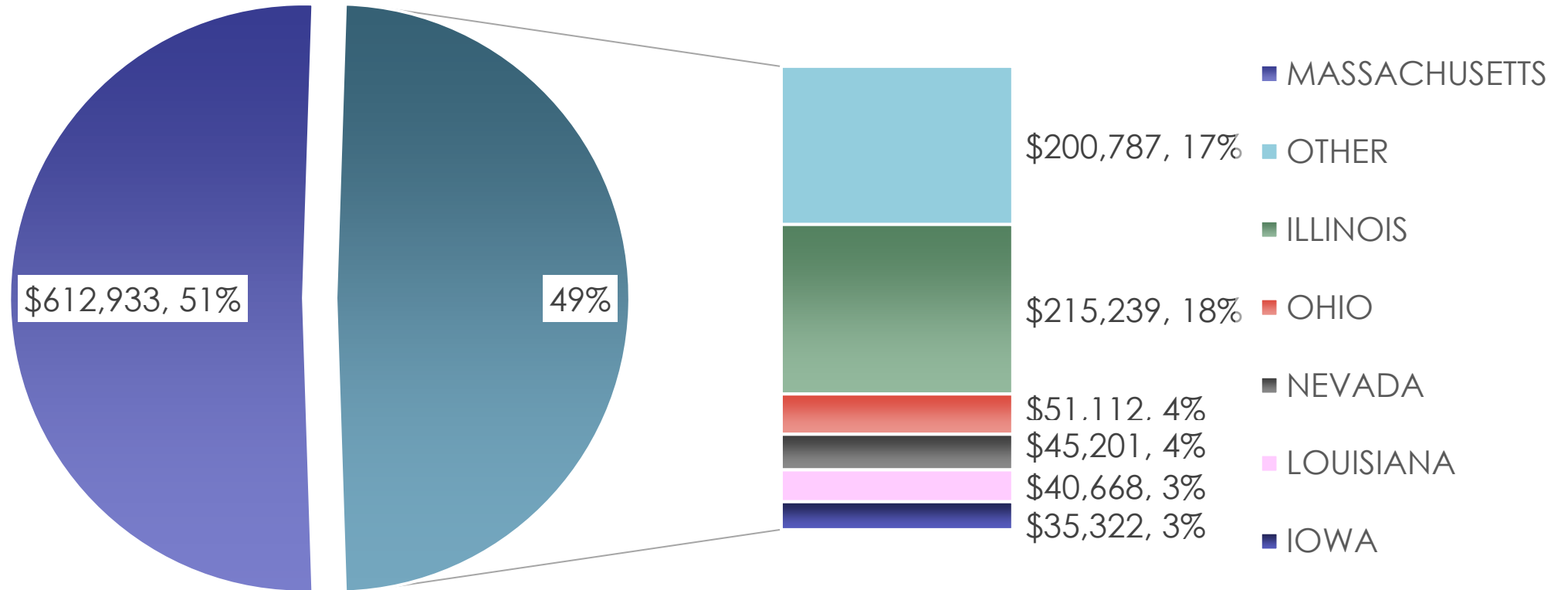
- PPC currently has five instant ticket machines and four online terminals
- Prior to the casino opening the property had one instant ticket machine and two online machines



# Spend by State



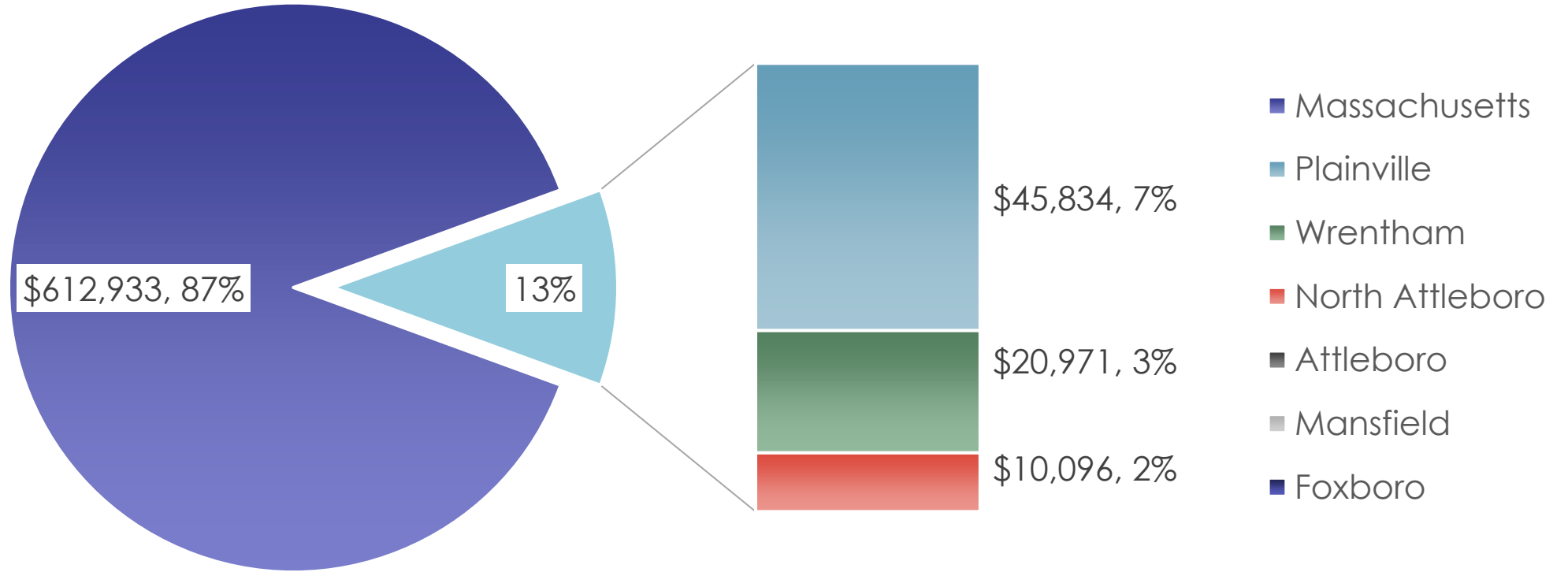
## Q1 2022 Total Qualified Spend By State



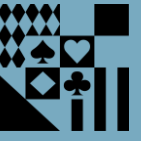
# Local Spend



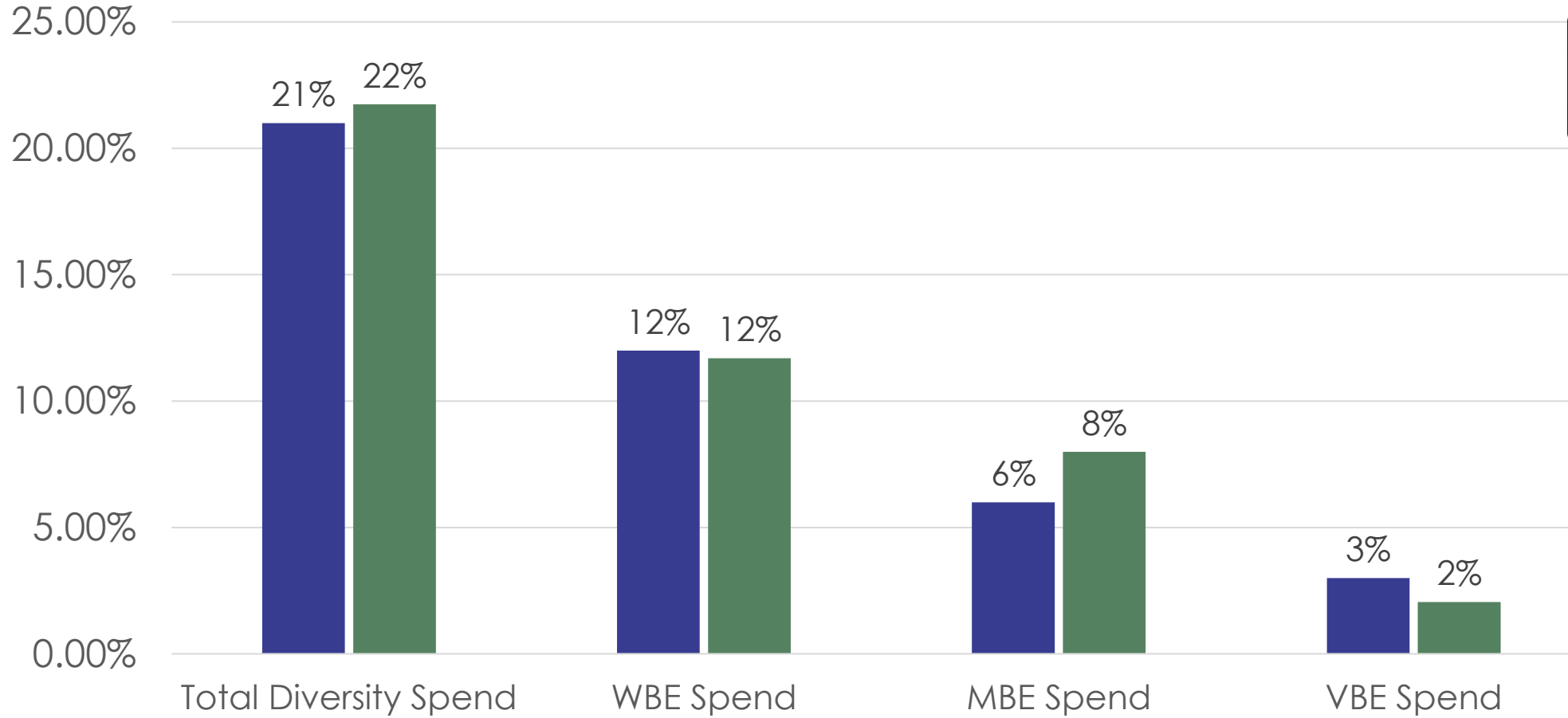
## Q1 2022 Massachusetts vs Host & Surrounding Community Qualified Spend



# Vendor Diversity



## Q1 2022 vs. Goal



■ Goal ■ Q1 2022 Spend

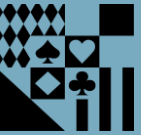
# Diverse Spend



Category <sup>1</sup>	Q1 2022	Q4 2021	\$ Difference	% Difference
WBE	\$141,463	\$163,514	(\$22,051)	-15.59%
MBE	\$96,570	\$60,960	\$35,610	36.87%
VBE	\$24,731	\$29,274	(\$4,543)	-18.37%
<b>Total Diverse Spend</b>	<b>\$262,764</b>	<b>\$253,748</b>	<b>\$9,016</b>	<b>3.43%</b>
<b>Qualified Spend</b>	<b>\$1,201,263</b>	<b>\$764,820</b>	<b>\$436,443</b>	<b>36.33%</b>

<sup>1</sup> 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 <sup>1</sup>	Underage <sup>2</sup>					
January	33	3	5	25	0	0	1	0
February	63	2	11	50	0	2	1	0
March	73	2	7	64	0	0	0	0
<b>Total</b>	<b>169</b>	<b>7</b>	<b>23</b>	<b>139</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>0</b>

<sup>1</sup> Person under 18 years of age

<sup>2</sup> Person 18-21 years of age

# Employment<sup>1</sup>: All Employees<sup>2</sup>



Employee Category	Percentage Goal	Total # of Employees in Category	Q1-22 Actual Percentage of Total Employees	Q4-21 Actual Percentage of Total Employees
Diversity	15%	79	24%	23 %
Veterans	2%	20	6 %	6 %
Women	50%	138	42%	40 %
Local <sup>3</sup>	35%	112	34 %	33 %
MA Employees		215	66 %	64%

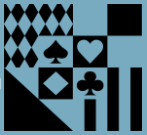
<sup>1</sup> All employees referenced in this slide were current as of Q1 2022

<sup>2</sup> Total number of employees Q1 2022: 325

<sup>3</sup> Local includes Attleboro, Foxboro, Mansfield, North Attleboro, Plainville & Wrentham

	Employees	Full-Time	Part-Time	Seasonal
Total	325	228	97	0
% of Total	100%	70%	30%	0%

# Employment<sup>1</sup>: Supervisor and Above<sup>2</sup>

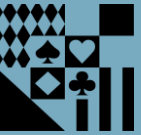


Employee Category	Total # of Employees in Category	Actual Percentage of Total Employees
Diversity	16	26 %
Veterans	3	5 %
Women	19	31 %

<sup>1</sup> All employees referenced in this slide were current as of Q1 2022

<sup>2</sup> Total number of Supervisor and Above Q1 2022: 62

# PPC Cares: Community and Team



## TITO Boxes – Q1 2022

- Boston Pearl Foundation
- New Hope



**American Cancer Society**  
Making Strides Against  
Breast Cancer  
#MakingStrides  
#BreastCancer  
#GreatCause



**Friends of North  
Attleboro Veterans**  
#myheroes  
#ThisIsPenn  
#PennGivesBack






# PPC Cares: Community and Team




**Welcome! Vice  
President of Finance  
Heidi Yates-Akbaba**



Dear Team,

I am pleased to announce our new Vice President of Finance, Heidi Yates-Akbaba. Heidi brings over 20 years of experience to the table with an outstanding background in Finance. She has the propensity for leadership, strategy, numbers, stats, analytics, building a plan, seeing the big picture, connecting the right people and making it all come together. The foundation of her career started in gaming before transitioning to hospitality. She thrived in Forbes 4 Star and AAA 4 & 5 Diamond branded and independent luxury and upper upscale resorts and hotels, and she had the added privilege of working in the gaming, ski and golf arenas. Prior to her new role with Plainridge Park Casino / Penn National Gaming she was in Los Angeles opening the InterContinental Los Angeles Downtown for IHG. She's had the honor of working with companies such as The Venetian Casino Resort, Monte Carlo Resort (now Park MGM Las Vegas), Vail Resorts, Omni Hotels and Resorts, JC Resorts and Hyatt. She has a passion for the travel, leisure and entertainment industries and is excited and looking forward to being part of the Plainridge team!



Heidi Yates-Akbaba

Please join us in welcoming Heidi into her new leadership role at Plainridge Park Casino.

*With Appreciation*  
Northcott Grouse!!  
VP & General Manager  
Plainridge Park Casino

**Johnson And Wales University**



**PPC Town Hall**



**Milestone Anniversaries**



**Women's Day**



**Community  
Sip & Sell**

