



2022 ANNUAL REPORT



# LETTER FROM THE CHAIR

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**October 2022**

The Honorable Maura Healey, Governor  
The Honorable Andrea Campbell, Attorney General  
The Honorable Deborah Goldberg, Treasurer  
The Honorable Michael Rodrigues, Chair, Senate Committee on Ways and Means  
The Honorable Aaron Michlewitz, Chair, House Committee on Ways and Means  
The Honorable Barry Finegold, Senate Chair, Joint Committee on Economic Development and Emerging Technologies  
The Honorable Jerald Parisella, House Chair, Joint Committee on Economic Development and Emerging Technologies

## **HONORABLE MADAMS AND MESSRS.**

For the Massachusetts Gaming Commission, FY22 has represented adaptation and preparation.

The team returned to the office with a transition to a hybrid working environment, adapting COVID-related protocols with the benefit of new technology. The Commission closely tracked the Open Meeting Law with regard to remote access to public meetings, advocating for continuity of the option particularly for statewide agencies. With our lawmakers ultimately extending the statutory measure to allow public bodies to meet virtually, the Commission preserved the ability to convene nimbly and effectively with stakeholders and members of the public from across the Commonwealth and around the world.

We grew our staff by 20%, including the addition of a Chief People and Diversity Officer to strengthen our already firm commitment to diversity, equity and inclusion and re-structure the HR division to react to changing needs and growth. Soon after his onboarding, in partnership with Executive Director Karen Wells, the MGC launched a full-scale equity review of our team's positions and salaries.

For the casino properties, FY22 brought ongoing increased customer demand, and stabilizing workforce needs, job fairs and applicable employee exemption requests. The MGC continued reviewing reporting for vendor and supplier spends as purchases of goods and services returned to usual volumes, which also brought the return of Vendor Advisory Team meetings between the licensees and community partners, guided by Commission staff. All efforts were effective. Where cumulative GGR had reached \$2.4 billion during FY21, the GGR across the industry for FY22 alone amounted to \$1.1 billion, with tax revenues up more than \$78 million over the previous fiscal year.

The Commission itself experienced great transition during this year including the addition of two new Commissioners – Nakisha Skinner and Jordan Maynard – and the departure of Gayle Cameron after 10 years of service.

Of course, much of FY22 encompassed monitoring legislation and preparing for the possibility that the MGC's regulatory responsibilities would expand should sports wagering in Massachusetts be legalized. The Commission continued to be the beneficiary of other generous jurisdictions that had already implemented sports wagering. With travel restrictions lifting, the Commission safely returned to in-person conferences across the United States to acquire further expertise and learn up-to-date best practices. Advanced preparation paid off. As the first quarter of FY23 came to realize, the MGC immediately launched into the new industry, developing a regulatory framework, promulgating related regulations, addressing staffing and resource needs, and setting critical deadlines.

The following Annual Report details further the Massachusetts Gaming Commission's operations from July 1, 2021 through June 30, 2022 (FY22) in accordance with G.L. c.23K, §70. An overview of the highlights for this fiscal year appear on page 10. I wish to thank my fellow Commissioners for their dedication and transparency, and genuine commitment to public service. On their behalf, I commend the consistent, thorough, and transformative efforts of the entire MGC team during this fiscal year and in the busy period to come. We remain available to discuss our ongoing work and the goals for the year ahead.

Sincerely,



# MISSION STATEMENT

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



# KEY PROVISIONS OF THE GAMING ACT

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

## **A STRONG, INDEPENDENT REGULATORY FRAMEWORK**

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

## **FUNDED MITIGATION MEASURES**

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

## **A ROBUST AND FUNDED RESEARCH MANDATE**

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

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

## **POLICIES TO MAXIMIZE THE BENEFITS TO THE COMMONWEALTH**

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



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# ABOUT THE COMMISSIONERS

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**Cathy Judd-Stein  
(Chair)**  
February 2019 – Current  
Governor’s Appointee



**Eileen O'Brien**  
April 2018 – Current  
Attorney General’s Appointee  
Criminal Investigations  
and Law Enforcement



**Brad Hill**  
September 2021 – Current  
Joint Appointment –  
Governor, AG, Treasurer  
Gaming Regulatory or  
Gaming Industry Management



**Nakisha Skinner**  
March 2022 – Current  
Treasurer’s Appointee  
Corporate Finance  
and Securities

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We also welcome our newest commissioner who joined just after the fiscal year’s end.



**Jordan Maynard**  
August 2022 – Current  
Joint Appointment –  
Governor, AG, Treasurer  
Legal and Policy Issues  
Related to Gaming

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A special thank you to former commissioner, **Gayle Cameron** who departed during FY22 after ten years of service with the MGC!



**Gayle Cameron**  
April 2012 – March 31, 2022  
Joint Appointment –  
Governor, AG, Treasurer  
Legal and Policy Issues  
Related to Gaming



# RECOMMENDATIONS FOR LEGISLATIVE ACTION

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

There are several areas that remain worthy of consideration including:

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

The Commission has resubmitted proposed G.L. c.128D language on several subsequent occasions as an agency filed bill. The current statutes that govern live racing and simulcasting in the Commonwealth (G.L. c. 128A and c.128C) expire on July 31, 2023. Industry stakeholders have previously indicated that the current short-term nature of the law creates uncertainty as to the viability of live horse racing and the ancillary industries in the Commonwealth. Accordingly, the Commission favors an approach that includes a comprehensive statutory amendment that takes a more long-term view that includes provisions that allow, for example, the Commission to set the minimum number of race days, to make use of funds from the Race Horse Development Fund to provide broader assistance to the racing industry, and to award new licenses to qualified applicants.

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



# FY22 BY THE NUMBERS

<p><b>\$1.1B</b></p> <p>GROSS GAMING REVENUE</p>	<p><b>\$311.5M</b></p> <p>TAX REVENUE TO THE COMMONWEALTH</p>	<p><b>\$55M</b></p> <p>CASINO GOODS/SERVICES SPEND WITH MA VENDORS</p>
<p><b>\$264M</b></p> <p>PARI-MUTUEL HANDLE</p>	<p><b>\$17.6M</b></p> <p>RACE HORSE DEVELOPMENT FUND DISTRIBUTIONS</p>	<p><b>110</b></p> <p>DAYS OF LIVE RACING</p>
<p><b>\$10.6M</b></p> <p>COMMUNITY MITIGATION FUNDS</p> <p>Since 2015, the MGC has awarded nearly <b>\$37.7M</b> in grants from the Community Mitigation Fund.</p>	<p><b>49.7%</b></p> <p>MGC GOODS/SERVICES SPEND WITH SMALL BUSINESS (SBPP)</p>	<p><b>FY22</b></p> <p>RESEARCH AND RESPONSIBLE GAMING</p> <p><b>1,150</b> individuals enrolled in VSE and <b>31,046</b> enrolled in PlayMyWay.</p>

**\$3.6M**

## DEPARTMENT OF REVENUE INTERCEPTS

In FY22, IEB Gaming Agents helped to intercept these funds from unpaid taxes and child support payments, redistributed to the Department of Revenue.

### MGC WORKFORCE

**31%** DIVERSE  
**46%** WOMEN

### CASINO WORKFORCE\*

**53%** DIVERSE  
**43%** WOMEN  
**4%** VETERANS

\*Represents calendar year 2022 (half of FY22) based on UMass Donahue Institute (UMDI) data.

# FY22 FINANCIAL REPORT

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

The Division is also in charge of completing all financial transactions and coordinating with other functional areas to complete administrative functions including, but not limited to, accounting, budgeting, contracting, and revenue collection.

## GAMING REVENUES AND TAX COLLECTIONS

In its seventh year of operation, the Category 2 licensee, Plainridge Park Casino, reported \$141.78M in gross gaming revenues, which generated \$56.71M in tax dollars to local aid and \$12.76M in assessments to the Race Horse Development Fund for a total of \$69.47M in taxes.

MGM Springfield reported \$257.84M in gross gaming revenue, which generated \$64.46M in taxes for the Commonwealth. Encore Boston Harbor reported \$710.15M in gross gaming revenue, which generated \$177.54M in taxes. The total of taxes for Category 1 licensees amounted to \$244.91M.

*Combined, gaming licensees generated \$1.1 billion in gross gaming revenue (GGR) and contributed \$311.47M to the Commonwealth for FY2022.*

Below are charts by month by licensee, also posted to the Commission's [website](#).

## CATEGORY 1 LICENSEE REVENUE

### Encore Boston Harbor

Month	Slot GGR	Table GGR	Slot and Table GGR	Total in Collected State Taxes (25%)
July	\$ 33,933,379.85	\$ 25,113,862.30	\$ 59,047,242.15	\$ 14,761,810.54
August	\$ 32,429,166.81	\$ 25,426,249.03	\$ 57,855,415.84	\$ 14,463,853.96
September	\$ 31,518,184.75	\$ 25,941,913.44	\$ 57,460,098.19	\$ 14,365,024.55
October	\$ 32,219,250.76	\$ 30,580,470.32	\$ 62,799,721.08	\$ 15,699,930.27
November	\$ 30,051,293.01	\$ 25,117,609.88	\$ 55,168,902.89	\$ 13,792,225.72
December	\$ 31,794,238.74	\$ 30,624,241.04	\$ 62,418,479.78	\$ 15,604,619.95
January	\$ 27,874,734.20	\$ 26,084,612.47	\$ 53,959,346.67	\$ 13,489,836.67
February	\$ 31,054,019.69	\$ 23,688,641.56	\$ 54,742,661.25	\$ 13,685,665.31
March	\$ 35,181,572.90	\$ 29,685,959.75	\$ 64,867,532.65	\$ 16,216,883.16
April	\$ 34,118,122.32	\$ 29,620,598.98	\$ 63,738,721.30	\$ 15,934,680.33
May	\$ 32,624,183.92	\$ 25,408,848.58	\$ 58,033,032.50	\$ 14,508,258.13
June	\$ 31,468,282.71	\$ 28,589,032.87	\$ 60,057,315.58	\$ 15,014,328.90
<b>Total FY22</b>	<b>\$ 384,266,429.66</b>	<b>\$ 325,882,040.22</b>	<b>\$ 710,148,469.88</b>	<b>\$ 177,537,117.47</b>

## MGM Springfield

Month	Slot GGR	Table GGR	Slot and Table GGR	Total in Collected State Taxes (25%)
July	\$ 18,950,489.53	\$ 4,763,729.80	\$ 23,714,219.33	\$ 5,928,554.83
August	\$ 16,884,574.61	\$ 4,912,382.25	\$ 21,796,956.86	\$ 5,449,239.22
September	\$ 16,572,497.34	\$ 2,791,416.75	\$ 19,363,914.09	\$ 4,840,978.52
October	\$ 16,877,834.17	\$ 4,562,730.75	\$ 21,440,564.92	\$ 5,360,141.23
November	\$ 15,962,307.64	\$ 5,706,616.50	\$ 21,668,924.14	\$ 5,417,231.04
December	\$ 16,666,986.72	\$ 5,533,835.05	\$ 22,200,821.77	\$ 5,550,205.44
January	\$ 14,386,892.72	\$ 4,214,795.50	\$ 18,601,688.22	\$ 4,650,422.06
February	\$ 15,711,906.08	\$ 4,220,007.75	\$ 19,931,913.83	\$ 4,982,978.46
March	\$ 18,837,606.75	\$ 5,442,915.75	\$ 24,280,522.50	\$ 6,070,130.63
April	\$ 18,404,598.73	\$ 4,135,430.05	\$ 22,540,028.78	\$ 5,635,007.20
May	\$ 17,113,181.60	\$ 4,039,067.85	\$ 21,152,249.45	\$ 5,288,062.36
June	\$ 16,936,388.21	\$ 4,209,619.31	\$ 21,146,007.52	\$ 5,286,501.88
<b>Total FY22</b>	<b>\$ 203,305,264.10</b>	<b>\$ 54,532,547.31</b>	<b>\$ 257,837,811.41</b>	<b>\$ 64,459,452.85</b>

## CATEGORY 2 LICENSEE REVENUE

### Plainridge Park Casino

Month	Slot GGR	Total in Collected State Taxes (40%)	Total in Collected Race Horse Dev Fund (9%)	Total in Collected State Taxes and RHDF (49%)
July	\$ 12,952,979.90	\$ 5,181,191.96	\$ 1,165,768.19	\$ 6,346,960.15
August	\$ 12,732,727.63	\$ 5,093,091.05	\$ 1,145,945.49	\$ 6,239,036.54
September	\$ 11,997,219.16	\$ 4,798,887.66	\$ 1,079,749.72	\$ 5,878,637.39
October	\$ 11,741,676.26	\$ 4,696,670.50	\$ 1,056,750.86	\$ 5,753,421.37
November	\$ 10,972,372.74	\$ 4,388,949.10	\$ 987,513.55	\$ 5,376,462.64
December	\$ 11,048,794.64	\$ 4,419,517.86	\$ 994,391.52	\$ 5,413,909.37
January	\$ 9,842,331.07	\$ 3,936,932.43	\$ 885,809.80	\$ 4,822,742.22
February	\$ 10,950,511.23	\$ 4,380,204.49	\$ 985,546.01	\$ 5,365,750.50
March	\$ 12,937,163.66	\$ 5,174,865.46	\$ 1,164,344.73	\$ 6,339,210.19
April	\$ 12,908,918.51	\$ 5,163,567.40	\$ 1,161,802.67	\$ 6,325,370.07
May	\$ 11,731,163.49	\$ 4,692,465.40	\$ 1,055,804.71	\$ 5,748,270.11
June	\$ 11,967,439.63	\$ 4,786,975.85	\$ 1,077,069.57	\$ 5,864,045.42
<b>Total FY22</b>	<b>\$ 141,783,297.92</b>	<b>\$ 56,713,319.17</b>	<b>\$ 12,760,496.81</b>	<b>\$ 69,473,815.98</b>

The Massachusetts Gaming Commission approved an FY22 budget for the Gaming Control Fund of \$33.02M, which required an initial assessment of \$29.3M on licensees. After three quarters of adjustments, the MGC's revised budget was \$33.25M, which required a \$27.26M assessment on licensees. Included in both the final spending and revenue figures are the costs for the independent monitor at Encore Boston Harbor (EBH).

Actual spending for FY22 in the gaming control fund was \$32.47M and revenues were \$33.9M. Again, in FY22, there were expenses for the independent monitor, which are a direct cost to EBH and, due to timing issues, the revenue was realized in FY23. This is because the Commonwealth operates on a modified cash basis of accounting. Therefore, while the credit to licensee's assessments in FY23 is the difference between FY22 spending and revenue (\$1.437M), the surplus must also consider the ~\$401.3K in EBH independent monitoring expenses paid in FY22 and reimbursed in FY23. The result is a total FY22 surplus of \$1.838M, to be credited to licensees' FY23 assessment.

## 10500001 – GAMING CONTROL FUND

### 2022 Budget Projections

	Initial Budget	Revised Budget	Final Spending	Variance (Revised Budget – Final Spending)	% Variance	Explanation
<b>MGC Regulatory Cost</b>						
AA REGULAR EMPLOYEE COMPENSATION	7,391,959.00	6,826,959.00	6,988,894.06	161,935.06	2.37%	MGC salary review and additional retro consistent with Executive branch
BB REGULAR EMPLOYEE RELATED EXPEN	43,700.00	33,700.00	13,612.77	(20,087.23)	-59.61%	Continued travel reductions
CC SPECIAL EMPLOYEES	205,000.00	165,000.00	154,032.44	(10,967.56)	-6.65%	
DD PENSION & INSURANCE RELATED EX	2,744,582.97	2,520,619.97	2,625,879.43	105,259.46	4.18%	Tracks with payroll
EE ADMINISTRATIVE EXPENSES	523,003.92	523,003.92	367,524.78	(155,479.14)	-29.73%	Continued travel and training reductions
FF PROGRAM, FACILITY, OPERATIONAL SUPPLIES	20,000.00	20,000.00	43,202.74	23,202.74	116.01%	\$23K of this spending was budgeted under KK object class
GG ENERGY COSTS AND SPACE RENTAL	1,333,102.02	1,333,102.02	1,336,410.61	3,308.59	0.25%	
HH CONSULTANT SVCS (TO DEPTS)	816,629.00	1,675,961.67	2,029,552.84	353,591.17	21.10%	Independent monitor invoices received after 3rd quarterly update
JJ OPERATIONAL SERVICES	9,717,737.15	9,917,567.73	9,172,683.20	(744,884.53)	-7.51%	Underspending in GEU straight time due to staffing vacancies and prudent use of overtime
KK EQUIPMENT PURCHASE	59,500.00	59,500.00	14,203.09	(45,296.91)	-76.13%	\$23K of this was spent in the FF object class
LL EQUIPMENT LEASE- MAINTAIN/REPAIR	40,494.25	40,494.25	26,339.30	(14,154.95)	-34.96%	Underutilization of leased machinery
NN NON-MAJOR FACILITY MAINTENANCE REPAIR	25,000.00	25,000.00	23,899.70	(1,100.30)	-4.40%	
PP STATE AID/POL SUB/OSD	175,000.00	175,000.00	194,935.00	19,935.00	11.39%	MSP fingerprint ISA tracked here
TT PAYMENTS & REFUNDS	–	–	–	–	–	
UU IT NON-PAYROLL EXPENSES	4,025,680.24	4,025,680.24	3,857,436.54	(168,243.70)	-4.18%	Various cost containments by IT
<b>MGC Regulatory Cost Subtotal</b>	<b>27,121,388.55</b>	<b>27,341,588.80</b>	<b>26,848,606.50</b>	<b>(492,982.30)</b>	<b>-1.80%</b>	

	Initial Budget	Revised Budget	Final Spending	Variance (Revised Budget – Final Spending)	% Variance	Explanation
<b>EE Indirect Costs</b>	<b>2,261,055.34</b>	<b>2,266,162.47</b>	<b>2,121,687.00</b>	<b>(144,475.47)</b>	<b>-6.38%</b>	10% assessment of AA, CC, HH, and JJ
<b>Office of Attorney General</b>						
ISA to AGO	2,630,034.15	2,630,034.15	2,450,198.17	(179,835.98)	-6.84%	
TT Reimbursement for AGO 0810-1024	–	–	309,165.83	309,165.83	–	
AGO State Police	937,971.46	937,971.46	669,630.09	(268,341.37)	-28.61%	
<b>Office of Attorney General Subtotal</b>	<b>3,568,005.61</b>	<b>3,568,005.61</b>	<b>3,428,994.09</b>	<b>(139,011.52)</b>	<b>-3.90%</b>	
<b>ISA to ABCC</b>	<b>75,000.00</b>	<b>75,000.00</b>	<b>74,910.00</b>	<b>(90.00)</b>	<b>-0.12%</b>	
<b>Gaming Control Fund Total Costs</b>	<b>33,025,449.50</b>	<b>33,250,756.88</b>	<b>32,474,197.59</b>	<b>(776,559.29)</b>	<b>-2.34%</b>	

## 2022 Revenue Projections

Revenues	Initial Projection	Revised Projection	Final Revenue	Variance (Revised Projection – Final Revenue)	% Variance	Explanation
Gaming Control Fund Beginning Balance 0500	–	1,958,874.32	1,947,298.69	(11,575.63)	-0.59%	
EBH Security Fees 0500	–	36,743.51	36,743.51	–	0.00%	
IEB Background/Investigative Collections 3000	150,000.00	38,212.05	33,830.76	(4,381.29)	-11.47%	
Current Year Independent Monitor Fees	–	859,332.67	943,250.81	83,918.14	9.77%	Collections for February invoice
Prior Year Independent Monitor Fees	–	97,943.40	97,943.40	–	0.00%	
Region A Slot Machine Fee 0500	1,545,000.00	1,545,000.00	1,576,800.00	31,800.00	2.06%	Revised with actual counts
Region B Slot Machine Fee 0500	1,020,600.00	1,020,600.00	1,018,800.00	(1,800.00)	-0.18%	
Slots Parlor Slot Machine Fee 0500	563,400.00	563,400.00	498,000.00	(65,400.00)	-11.61%	Revised with actual counts
Gaming Employee License Fees (GEL) 3000	75,000.00	150,000.00	186,900.00	36,900.00	24.60%	Employee figures increased as facilities opened additional offerings
Key Gaming Executive (GKE) 3000	10,000.00	10,000.00	1,000.00	(9,000.00)	-90.00%	
Key Gaming Employee (GKS) 3000	15,000.00	26,000.00	46,000.00	20,000.00	76.92%	
Non-Gaming Vendor (NGV) 3000	10,000.00	30,000.00	35,900.00	5,900.00	19.67%	Employee figures increased as facilities opened additional offerings
Vendor Gaming Primary (VGP) 3000	225,000.00	125,000.00	108,780.01	(16,219.99)	-12.98%	Timing of billing and receipt of revenue led to overestimating
Vendor Gaming Secondary (VGS) 3000	15,000.00	15,000.00	10,000.00	(5,000.00)	-33.33%	

Revenues	Initial Projection	Revised Projection	Final Revenue	Variance (Revised Projection – Final Revenue)	% Variance	Explanation
School License (GSB) Lab (LB) 3000	15,000.00	5,000.00	2,400.00	(2,600.00)	-52.00%	
Gaming Service Employee License (SER) 3000	25,000.00	37,000.00	50,850.00	13,850.00	37.43%	Employee figures increased as facilities opened additional offerings
Liquor License (LL) 3000	-	-	15,000.00	15,000.00	0.00%	
Temporary License (TEM) Sub (SB) 3000	10,000.00	10,000.00	-	(10,000.00)	-100.00%	
Assessment for PHTF	5,000,000.00	5,000,000.00	-	(5,000,000.00)	-100.00%	Assessment received
Transfer PHTF Assessment to PHTF	(5,000,000.00)	(5,000,000.00)	-	5,000,000.00	-100.00%	Assessment moved to PHTF
Assessment 0500	29,321,449.50	27,264,631.78	27,264,631.78	-	0.00%	
Misc/MCC Grant	25,000.00	25,000.00	25,000.00	-	0.00%	
Miscellaneous 0500	-	8,413.39	10,757.05	2,343.66	27.86%	
Bank Interest 2700	-	652.46	1,364.66	712.20	109.16%	
<b>Grand Total</b>	<b>33,025,449.50</b>	<b>33,826,803.58</b>	<b>33,911,250.67</b>	<b>84,447.09</b>	<b>0.25%</b>	



# FY22 DIVISION REPORTS

## DIVISION OF COMMUNITY AFFAIRS

The Division of Community Affairs is responsible for coordinating and communicating interactions among the Commission and many stakeholders, including the Host and Surrounding Communities and other state agencies. It also monitors the activities of its casino licensees, including reporting and ensuring they continue to meet the terms of their licenses. The primary initiative of the division is to facilitate the Community Mitigation Fund Grant program; including coordinating and supporting the legislatively – mandated advisory committees and sub-committees that support the Commission in the development of and adoption of the Community Mitigation Fund guidelines.

*For 2022, \$21.5M was made available for local mitigation projects.*

### Community Mitigation Fund Grant Program

The Community Mitigation Fund receives monies from the taxes on gross gaming revenues and is designed to address unanticipated impacts that may result from the construction and operation of casinos. It may also be used for planning, either to determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts. For 2022, \$21.5 million was made available for local mitigation projects.

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

### During grant year 2022, the Community Mitigation Grants available were as follows:

1. **Specific Impact Grants:** These grants were developed to assist communities with unanticipated mitigation impacts specific to that community which have occurred or are occurring as of the January 31 due date.
2. **Transportation Planning Grants:** These planning grants were developed to assist communities in transportation issues and transportation-related impacts. 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 Commission continues to support regional approaches to mitigation needs and recognizes that some mitigation requires the commitment of more than one community. The Community Mitigation Fund provides an additional monetary incentive to communities that submit regional applications.
3. **Transportation Construction Grants:** This grant category was added in 2020 to allow for the implementation of mitigation projects identified through transportation planning studies. The Commission anticipated authorizing no more than \$1,500,000 for any one award or 33% of the total project cost. Applicants had to demonstrate that the project would begin construction no later than June 30, 2023.
4. **Workforce Development Grants:** This was the sixth year that the Commission allocated funding for Workforce Development purposes as part of the Community Mitigation Fund. This program was conceived to help increase job readiness in both Regions A and B in anticipation of the high volume of casino hires. Applicants 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 sufficient supply of workers to backfill jobs being lost to the casinos. These programs have assisted many individuals to receive their GED, ABE and postsecondary credentials of value in the regional labor market. The Commission continues to support these workforce training programs to continue to feed the pipeline of workers, as well as mitigate some of the impacts to the population that is most affected by the pandemic.
5. **Public Safety Grants:** This Grant category is new for 2022 and allowed for the funding of public safety operations costs up to \$200,000. These funds may be used for training to support the Police Reform Law, public safety equipment, and vehicles. The application must demonstrate that CMF funds will supplement and not supplant historical operations funding.



6. **Emergency Mitigation Grants:** The Commission has set aside not more than \$200,000 in grant funds to mitigate unanticipated casino-related impacts that arise after January 31, 2021. This grant is not intended to circumvent the normal CMF process.
7. **Tribal Gaming Technical Assistance Reserve:** The Commission made set aside up to \$200,000 in technical assistance funding to assist in the determination of impacts that may be experienced by communities in geographic proximity to the potential Tribal Gaming facility in Taunton.

### 2022 GRANT APPLICATIONS AWARDED

The Commission awarded grant applications totaling approximately \$10.6 million.

	APPLICATIONS			
	Region A	Region B	Cat 2	Total
Public Safety	\$ 361,300	\$ 285,900	\$ 213,600	\$ 860,800
Specific Impact	\$ 431,600	\$ 832,300	\$ 64,500	\$ 1,328,400
Transportation Planning	\$ 945,100			\$ 945,100
Transportation Construction Project(s)	\$ 1,527,500	\$ 4,366,600		\$ 5,894,100
Workforce Development	\$ 500,000	\$ 500,000		\$ 1,000,000
Community Planning	\$ 400,000	\$ 75,000	\$ 136,000	\$ 611,000
<b>Totals</b>	<b>\$ 4,165,500</b>	<b>\$ 6,059,800</b>	<b>\$ 414,100</b>	<b>\$ 10,639,400</b>



## HUMAN RESOURCES/ DIVERSITY, EQUITY, AND INCLUSION UPDATE

AGENCY HEADCOUNT				
Department/Division	Headcount FY19	Headcount FY20	Headcount FY21	Headcount FY22
Commissioners & Staff	5	5	4	7
Executive Director & Staff	5	4	4	2
Communications	2	2	2	2
Investigations & Enforcement	45	43	37	39
Licensing	6	6	5	10
Legal	12	10	10	5
Human Resources	2.5	2.5	2.5	3
Finance	6.5	6.5	5.5	7
Information Technology	7	8	7	8
Racing <sup>1</sup>	3	3	3	3
Responsible Gaming				3
Community Affairs				3
General Counsel				4
	<b>94</b>	<b>90</b>	<b>80</b>	<b>96</b>

<sup>1</sup>Racing numbers do not include seasonal employees



The chart above represents the current headcount by department, as approved in the FY budget. Note that Responsible Gaming, Community Affairs, and General Counsel, were previously included in our legal division. However, due to structural reporting changes and management updates, they are now separate. *(These numbers do not include state police assigned to the Commission, or FTE's in the Attorney General's Office of Gaming Enforcement.)*

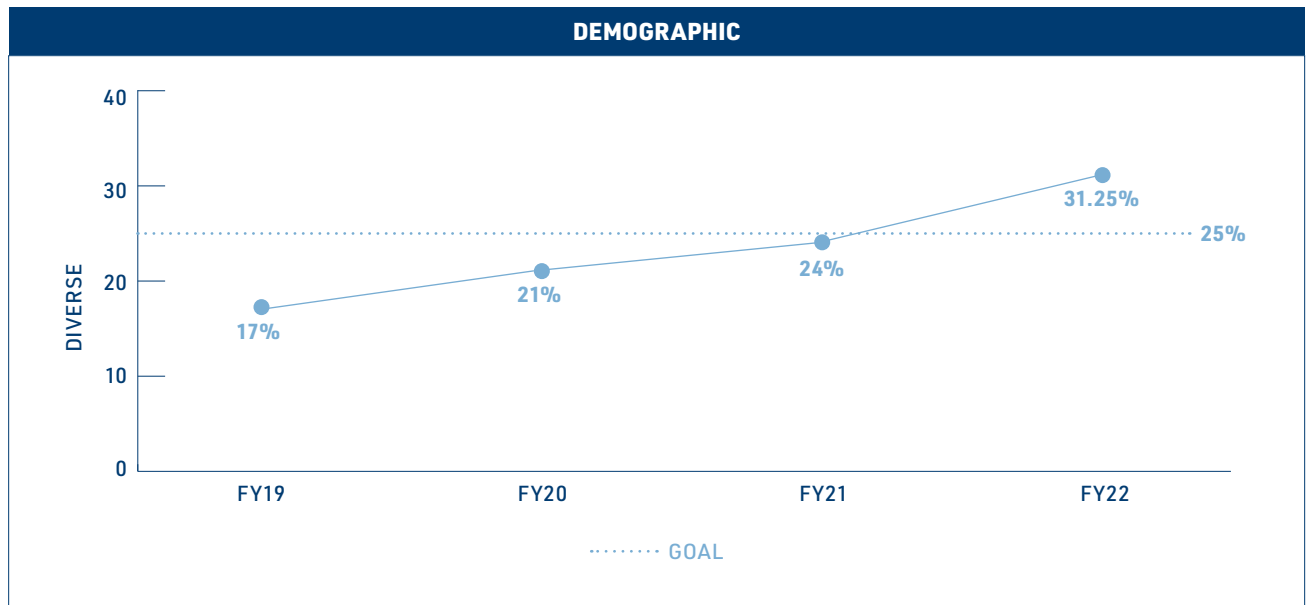
Due to recently improved COVID-19 business conditions and recruitment efforts, the total MGC headcount increased by 20%. MGC continues to enhance efforts toward internal diversity initiatives, including goals to increase the diversity of the agency's workforce, focusing on supplier diversity goals, and programming towards equity and inclusion.

In June 2022, the Chair re-convened the Equity and Inclusion Working Group comprised of diverse employees across varying levels and divisions. Originally, the Working Group was asked to consider and examine relevant operations within the MGC and create an ongoing action plan to address racial inequity. A statement of purpose was developed, affirming the MGC's commitment to racial equity and justice, diversity, and inclusion with a five-item action plan that anticipated promoting culture, regulatory review from a DEI lens, customer service, hiring and retention best practices, and procurement policy revisions. In March 2022, the agency hired a Chief People and Diversity Officer (CPDO) to oversee the Human Resources division, and to ensure the Equity and Inclusion Working Group initiatives are advanced.

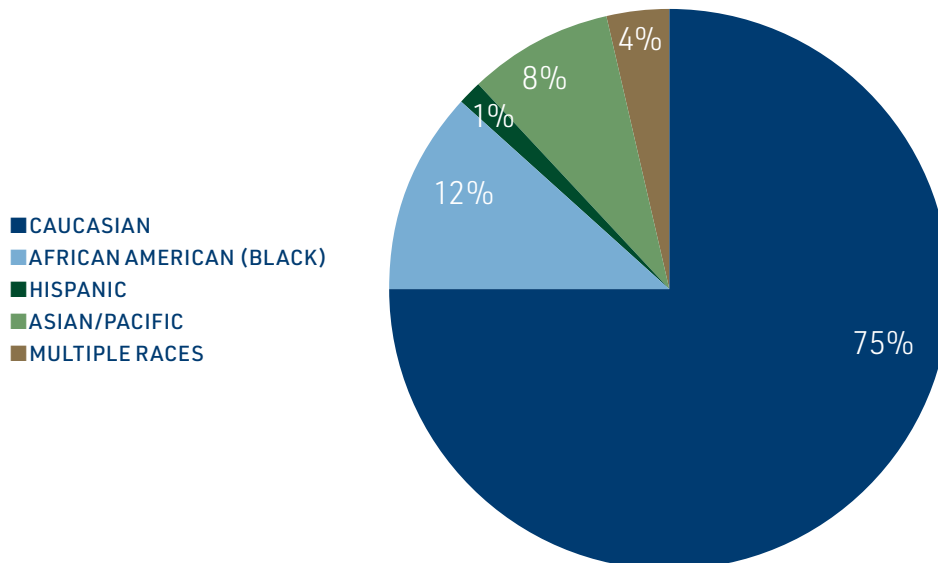
**FY 2022 HR Update:**

- Budget approved for new position under CPDO: Human Resource and D.E.I Program Manager.
- A Global Diversity Calendar was created for October, to recognize and celebrate the differences and similarities in people, food, religious beliefs, culture, race, genders, and disabilities at the MGC and around the world.
- Re-instatement of MGC Employee Performance Evaluations.
- Projected MGC management training focusing on the development and performance management of staff.

As a result of several of MGC’s diversity initiatives combined, the organization’s diversity has grown significantly over the years.



As of October 2022, the racial demographic of MGC:



Comparatively, over the last three years, the MGC Caucasian employee population has slightly decreased from 77% to 75%. During the same time period, MGC’s African American employee population has increased from 9.2% to 11.9%.

DEMOGRAPHIC	FY20	FY21	FY22
Female	50.6%	52.5%	46%
Male	49.4%	47.5%	54%

Although we are experiencing progress in diversifying the Commission in terms of race/ethnicity, over a three-year period, MGC has experienced a reduction in female staff from 50.57% in 2020 to 46.43% in 2022. The downward trend in hiring female employees, as in other industries, may be partially the result of the pandemic. To address diversity recruitment concerns, strategic steps have been taken. MGC continues to participate in All-In Diversity's All-Index, which is an international benchmarking tool for diversity and inclusivity in the gaming industry, focused heavily on the inclusion and advancement of women. We are also a member of the Boston Chamber of Commerce's Pacesetters program to continue to advance the agency's supplier diversity goals.

In addition, the agency voluntarily participates in the Supplier Diversity (SDP) and Small Business Purchasing (SBPP) program under the Commonwealth's Supplier Diversity Office and submits to the SDO annual report each year.

**MGC Supplier Diversity Update**

FY22 Total Supplier Diversity Spend = **\$3,600,693.90**  
 FY22 MGC Direct Diversity Spend = \$3,501,315.50  
 FY22 MGC Indirect\* Diversity Spend = \$99,378.40

**MGC Direct\*\* Diversity Spend Results**

MBE		SDVOBE <sup>2</sup>		WBE		SBPP (SMALL BUSINESS)	
Goal	Result	Goal	Result	Goal	Result	Goal	Result
8%	5.2%	3%	.72%	14%	4.9%	3.3%	49.70%

\*Statewide contract indirect diversity spend is calculated by taking MGC statewide contract payments and factoring vendor's pledged supplier diversity commitment percentages. Vendors on statewide contract pledge to do a business with MBE, WBE, and VBE business. This indirect spend total captures MGC spending based on these pledges.

\*\* Results percentages included are factored only for direct spend.

**INFORMATION TECHNOLOGY SERVICES DIVISION**

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

**Corporate Technology**

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

Over the past year, ITS implemented numerous changes to improve, stabilize, and provide a robust and agile computing environment for the MGC community. The MGC continues some of its operations in a hybrid capacity. The CTU continues to provide secure access locally and remotely without compromising versatility and security.

**Gaming Technology Compliance**

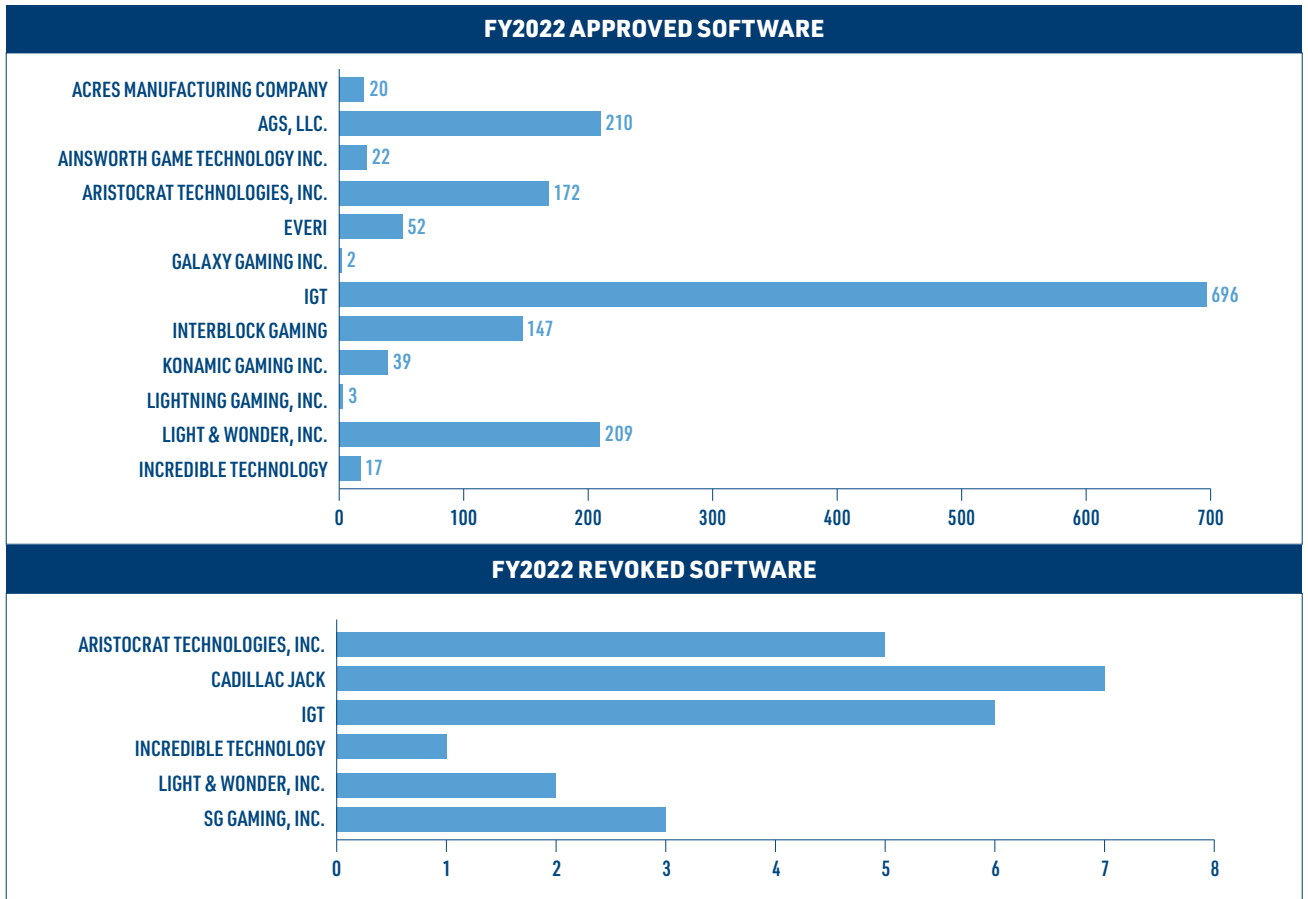
The Gaming Technology Compliance Unit (GTCU) is responsible for planning, organizing, managing, and implementing the regulations, policies, procedures, and testing needed to ensure the integrity of electronic gaming devices (EGDs aka slot machines) and associated software and equipment. Currently, there are 5,095 EGDs across all three casinos in Massachusetts, which the GTCU continuously monitors.

The GTCU oversees the issuance of certifications and permits for the use of EGDs in Massachusetts. Last year, the GTCU certified 1,589 individual software packages approved for use in Massachusetts by our Certified Independent Testing Labs (CTIL). Through the assistance of the MGC's Central Monitoring System (CMS), software signatures for licensee compliance are verified daily.

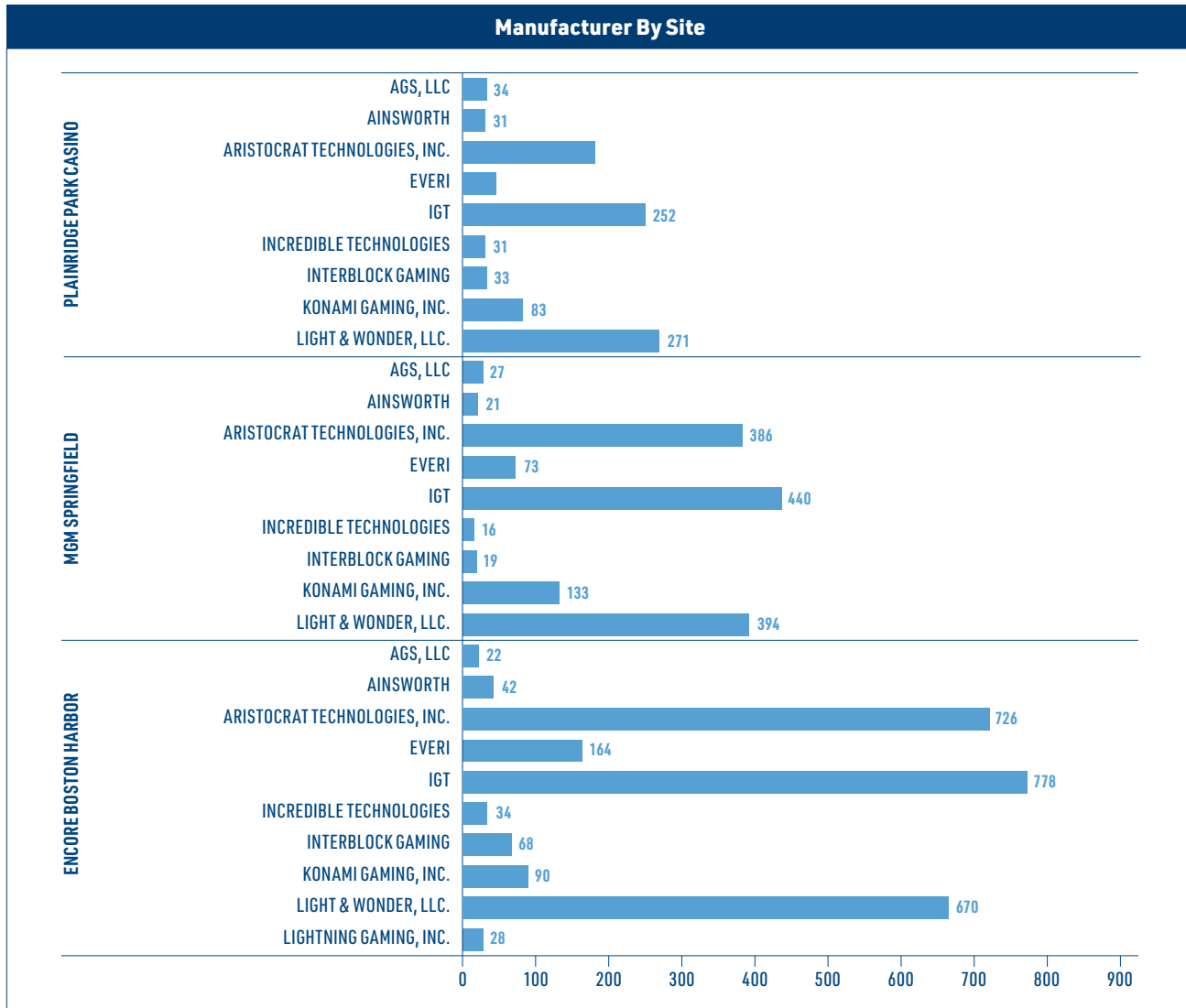
*Currently, there are 5,095 EGDs across all three casinos in Massachusetts, which the GTCU continuously monitors.*

Issuing revocations typically begins with a notification from the CITL when an issue is found with an individual piece of gaming software that denotes the severity and description of the issues. The GTCU reviews each notification to verify if the software is active in Massachusetts. A letter is sent to each property, including software information, removal date, and, if any, the affected EGDs. During the last fiscal year, the GTCU issued 24 revocations based on recommendations from the CITLs. Below is a breakdown of the software approved and revoked; by manufacturers for FY2022.

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



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



The GTCU also assists the Research and Responsible Gaming Division (RRG) in testing technical, reporting, and user interface requirements for the Responsible Gaming program, PlayMyWay (PMW). The PMW platform for MGM Springfield (MGM) launched on March 31, 2022, and Encore Boston Harbor (EBH) launched on September 12, 2022. Continuous assessments and testing of PMW at PPC and MGM are conducted to ensure compliance with all applicable requirements. GTCU assisted with designing, developing, and implementing a new web application for the MGC Voluntary Self-Exclusion program (VSE), which launched in January 2022.

The GTCU continues to support and assist the Finance division. The GTCU assisted with monthly and 12-month meter reviews for EBH and MGM. The GTCU supports the Investigations and Enforcement Bureau (IEB) by submitting monthly reports and configuring alerts on the CMS to discover malicious activities. Custom reports are provided to assist with the investigations of EGD incidents or malfunctions.

## INVESTIGATIONS & ENFORCEMENT BUREAU/DIVISION OF LICENSING

The Investigations and Enforcement Bureau (IEB) is comprised of 1) the Investigations Division, which includes Massachusetts State Police (MSP) staff and a team of civilian financial investigators; 2) the Gaming Agents Division, comprised of civilian agents, charged with providing regulatory oversight and on-site monitoring of licensed gaming establishments; and 3) the legal arm of the IEB, which consists of the Chief Enforcement Counsel and Senior Enforcement Counsel and whose duties include legal review of investigations and representing the IEB in licensing and enforcement actions initiated by the Bureau. The Director of the IEB also oversees the Division of Licensing, which administers the licensing and registration functions on behalf of the Commission for employees of and vendors to the Commonwealth's three gaming establishments.

The IEB conducts probity investigations to determine suitability for licensure and registration for all gaming establishment employees and vendors, per licensing regulations (205 CMR 134.00), which also define thresholds, standards and procedures for licensing and registration. There are three levels of casino employee licensure: Key Gaming Employee – Executive, Key Gaming Employee – Standard, and Gaming Employee. All three levels of licensure require a background check before employment may commence at a gaming establishment. Some employees not classified by regulation as either Key Gaming or Gaming Employees must register as a Gaming Service Employee, unless exempted from classification by the Commission. Background checks for those Gaming Service Employees may commence after employment begins. The depth of background check is commensurate with the level of licensure/registration.

In FY22, the IEB and Division of Licensing processed and completed background investigations for 1,618 applications for individual employee licensure or registration. The Division of Licensing and the IEB also received and processed three new Gaming Vendor applications consisting of 12 entity qualifiers and 21 individual qualifiers. The IEB completed renewal investigations for 10 Gaming Vendors consisting of 24 entity qualifiers and 35 individual qualifiers. Further, with respect to casino qualifiers, the Division of Licensing and the IEB processed and conducted background investigations for 15 individual qualifiers (10 of which were related to interim investigations of real estate investment trust [REIT] transactions) and 13 entity qualifiers (12 of which were related to interim investigations of REIT transactions). Finally, the IEB and the Division of Licensing processed and conducted background investigations for 189 non-gaming vendor registrations.

*IEB processed  
backgrounds for 1,618  
applications in FY22.*



In FY22 the IEB's Gaming Agents Division also conducted the necessary regulatory work for the ongoing operations of Plainridge Park Casino, MGM Springfield, and Encore Boston Harbor. Gaming agents conducted hundreds of regulatory examinations to test casino internal controls and procedures at each facility to ensure compliance with MGC regulations. Gaming agents continue to oversee and/or review a variety of tasks at all three gaming establishments, including slot machine moves and inspections, operational audits, compliance reports, patron complaints, machine jackpots over certain thresholds, and tips from the [Fair Deal](#) tip line.

The Massachusetts State Police have a 24/7 presence at all three casinos, have criminal enforcement responsibilities, and are also assigned to conduct employee background checks.

## RACING OPERATIONS

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

### Standardbred Racing

Plainridge Park Casino held 110 days of live racing during calendar year 2022. The Racing Division issued over 900 occupational licenses.

Two new, big races were added in FY22. The Paul Revere Pace was held in April, with a \$100,000 purse. The Bunker Hill Trot was held in May, also with a \$100,000 purse. This harness racing season saw the return of the \$250,000 Spirit of Massachusetts Trot and the \$100,000 Clara Barton Pace.

## \$1,000,000 WAS DISTRIBUTED AS PURSES IN THE FINALS OF THE RACES FOR MASSACHUSETTS BRED HORSES, KNOWN AS THE SIRE STAKES.

For the upcoming 2023 calendar year, Plainridge is planning on 108 days of racing, and will extend the season by one week.

### Thoroughbred Racing

There was no live Thoroughbred racing in Massachusetts in FY22. Several groups have expressed interest in returning Thoroughbred racing to the Commonwealth.

### Simulcasting

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

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

For FY22, total pari-mutuel handle in the Commonwealth reached \$264 million.

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

### Race Horse Development Fund Disbursements

FY22 marked the eighth year that the Race Horse Development Fund had monies available to supplement purses, and accordingly the Commission approved disbursements for the prescribed purposes in the manner recommended by the Horse Racing Committee in accordance with G.L. c. 23K, §60.

The distributions out of the Race Horse Development Fund were as follows:

Entity	Amount	Statutory Purpose
Harness Horsemen’s Association	\$ 375,920	Health & Welfare of Harness Horsemen
Massachusetts Thoroughbred Breeders Association	\$ 751,841	Thoroughbred Breeders Program
New England Horsemen’s Benevolent	\$ 375,910	Health & Welfare Thoroughbred Horsemen
Plainville Gaming and Redevelopment LLC	\$ 13,833,883	Standardbred Live Racing Purses
Standardbred Owners of Massachusetts	\$ 2,240,931	Standardbred Breeders Program
<b>Grand Total</b>	<b>\$ 17,578,485</b>	

### RESEARCH AND RESPONSIBLE GAMING

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

MGC and the Department of Public Health set an annual budget for expenditures from the Public Health Trust Fund, which includes funding for the annual gaming research program. For FY22, the Public Health Trust Fund directed approximately \$6.7 million to gaming research, responsible gaming, and problem gambling prevention and treatment programs.



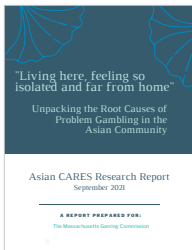
## Research Studies and Activities

The Commission has supported a wide range of gambling-related research projects, of which six were released in FY22; adding up to more than 50 reports since 2014. Of importance during FY22, the MGC continued its support of Community Driven Research to understand the impacts of gambling on groups and communities considered to be at greater risk of gambling-related harms. In FY22, two reports in this category of research were released; *Asian Cares: Unpacking the Root Causes of Problem Gambling in the Asian Community* (12/2/2021) and *Understanding the Life Circumstances of Hispanic Residents of a Casino Neighborhood* (6/22/2022). Toward the end of FY22, the Division of Research and Responsible Gaming released a whitepaper, *Responsible Gaming Considerations for Gambling Advertising*, which provides an overview of gambling advertising research, regulations, and practices to inform regulations for consideration by the MGC.

### FY22 Research Findings Highlights:

- Lack of economic opportunity propels many to turn to gambling as an alternative source or to supplement income. (*Unpacking the Root Causes of Problem Gambling in the Asian Community*)
- Gross gaming revenues recovered faster than visitation, with July 2021 levels approximating those of January 2020. A possible explanation is that average spending per casino patron has risen. (*SEIGMA Covid-19 Impacts Report*)
- Seventy percent of all gambling harms arise from “lower severity” groups that have not experienced severe gambling problems. These findings support the notion that more resources should go toward primary prevention to forestall the development of gambling harms. (*Gambling Harms and the Prevention Paradox in Massachusetts*)
- Evidence from past research suggest that among the three casinos, the number of impaired driving trips is in the tens of thousands per year. This is supported with available “last drink” reports from drunk drivers. (*Assessment of the Casinos’ Impacts on Operating Under the Influence (OUI) and OUI Involved Traffic Collisions*)
- Overall, expansion of gambling in Massachusetts has not had a dramatic effect on local commercial real estate markets. While commercial real estate conditions in host and surrounding communities have shifted over time, many of these shifts are in line with changes observed regionally or statewide. (*SEIGMA Commercial Real Estate Report*)

### FY 2022 Research:

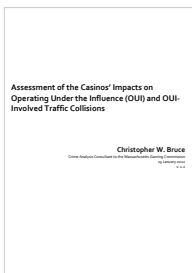


#### **Asian CARES Research Report: Unpacking the Root Causes of Problem Gambling in the Asian Community**

December 2, 2021

This community-engaged research project unpacks some of the root causes of problem gambling in the Asian Community. The research was motivated by the desire to fill in the gap of understanding how problem gambling manifests in the Asian community and to understand whether existing programs, services, and interventions are adequately serving this community.

[Download the Report Online](#)



#### **Assessment of the Casinos' Impacts on Operating Under the Influence (OUI) and OUI Involved Traffic Collisions**

January 27, 2022

This report assembles available evidence for the impact of Plainridge Park, MGM Springfield, and Encore Boston Harbor on impaired driving in the region, to include complaints (arrests and summonses) for operating under the influence [OUI], OUI-involved crashes, and reports of “last drink” locations from guilty drunk drivers.

[Download the Report Online](#)

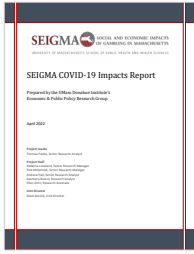


#### **Gambling Harms and the Prevention Paradox in Massachusetts**

November 4, 2021

This report is an investigation into the “Prevention Paradox.” The “Prevention Paradox” suggests gambling harms are suffered by a large number of individuals who do not have gambling problems, due to the fact that they greatly outnumber individuals who exhibit substantial problems with gambling.

[Download the Report Online](#)

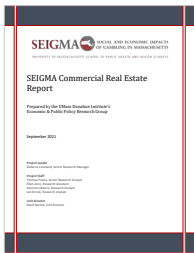


### **SEIGMA COVID-19 Impacts Report**

April 14, 2022

In this report, the SEIGMA team analyzed data from all three casinos between January 2020 and June 2021 in order to assess the impacts of the COVID-19 crisis on the casino industry in Massachusetts to date.

[Download the Report Online](#)



### **SEIGMA Commercial Real Estate Report**

October 21, 2021

SEIGMA's Economic Team used proprietary data from The CoStar Group to evaluate how commercial real estate conditions have changed in host and surrounding communities of all three gambling venues since the expansion of gambling in Massachusetts.

[Download the Report Online](#)

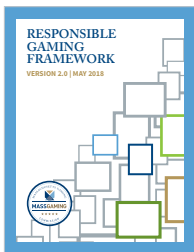


### **Understanding the Life Circumstances of Hispanic Residents of a Casino Neighborhood**

June 22, 2022

This community-based participatory study explores the relationship between gambling and the life context of Hispanics living in Springfield, Massachusetts. This study lays the groundwork in incorporating the life experiences of members of under-resourced communities in efforts to mitigate the harmful effects of problem gambling.

[Download the Report Online](#)



### **Responsible Gaming Considerations for Gambling Advertising**

June 9, 2022

This paper provides an overview of gambling advertising practices and considerations based on principles of the MGC's Responsible Gaming Framework. The document is intended to provide information to commissioners that will help inform decisions on policies and regulations related to gambling advertising in Massachusetts.

[Download the Report Online](#)

## **RESPONSIBLE GAMING INITIATIVES**

Since its inception, the MGC has developed, implemented, refined, and adapted its responsible gaming strategy to respond to the needs of all patrons. Responsible gaming is a central priority of the MGC as we recognize that we must minimize the potentially negative and unintended consequences of expanded gaming. The following programs are available at all three licensee properties:

**The Voluntary Self-Exclusion (VSE) Program** assists patrons who recognize that they have experienced a loss of control over their gambling and wish to invoke external controls. People enroll in the program for one, three, or five-year terms and are prohibited from entering the gaming floor at all Massachusetts casinos. If they do, any gambling winnings are confiscated and transferred to the Gaming Revenue Fund. The MGC's VSE process utilizes an engaged approach, ensuring that the enrollee obtain the assistance needed, is responded to in a respectful, timely and discreet manner, and feels supported. Since the introduction of remote VSE in December 2020, 50 people have enrolled remotely. In FY22, 1,150 people have enrolled in the program.





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

GameSense Advisors engage with casino patrons to promote informed player choice. Most people who visit Massachusetts casinos engage in gambling behavior that is nonproblematic, also known as positive play. GameSense Advisors staff the GameSense Info Center on the casino floor through innovative games, quizzes, and other demonstrations meant to debunk gambling myths and misconceptions, and educate players on how games, odds and probabilities work. In FY22, GameSense Advisors recorded 57,196 exchanges and demonstrations pertaining to responsible gaming and problem gambling with a total of 63,282 casino patrons and employees.

GameSense Advisors also engage groups at greater risk of gambling harm in the community to promote informed player choice before they visit the casino. Due to COVID-19, GameSense Advisors adapted activities to virtual and online educational presentations. In FY22, GameSense Advisors led community on-site and virtual presentations to the 3,014 community members.

As required by statute, GameSense Advisors provide training to casino employees to further the goal of promoting responsible gaming and mitigating problem gambling. In partnership with the three casino licensees, GameSense Advisors provided new-hire orientation and advanced responsible gaming trainings to 5,808 casino employees in FY22 to aide them in supporting patrons in need of assistance.

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

**PlayMyWay (PMW)** is a first-of-its-kind budgeting tool designed to allow players the ability to monitor the amount of money they spend on electronic gaming machines. PMW, which was already available at Plainridge Park Casino, was launched at MGM Springfield on March 31, 2022 and at Encore Boston Harbor on September 12, 2022. Once enrolled, a player receives automatic notifications when approaching 50%, 75%, and 100% of their daily, weekly, or monthly budget. They may then choose to stop at any point or keep playing. PMW allows enrollment/unenrollment and budget adjustments at any time.



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**BY THE END OF FY22, THERE WERE 31,046 PLAYERS ACTIVELY ENROLLED IN PLAY MY WAY WITH AN AVERAGE UN-ENROLLMENT RATE OF 6.75%.**

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# LEGAL/LITIGATION MATTERS

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

Various municipalities and groups filed suit contesting certain aspects of the Massachusetts Gaming Commission's (MGC) issuance of the Region A Category 1 gaming license. Certain of the claims were dismissed, either voluntarily or by order of the Massachusetts Superior Court. The final remaining intervenor claim was filed by Mohegan Sun. Argument on Mohegan Sun's motion for judgment was heard on September 21, 2021. By decision dated February 6, 2022, the Superior Court denied Mohegan Sun's motion in its entirety and entered judgment for the MGC and individual Commissioners on all remaining claims asserted in the action. Mohegan Sun did not appeal the Superior Court's decision.

## **FBT V. MGC**

On November 14, 2016, the Massachusetts Gaming Commission (MGC) was sued by FBT Everett Realty, LLC for tortious interference with respect to the plaintiff's agreement to sell property to Wynn Resorts for the Region A Category 1 facility in Everett. The plaintiff is requesting damages as determined at trial. On May 14, 2018, the Superior Court granted the MGC's motion to dismiss on two of three claims then remaining. On July 5, 2018, the MGC filed a third-party complaint against the Region A Category 1 licensee for unjust enrichment and indemnification relating to the remaining claim against the MGC. The Region A licensee filed a motion to dismiss the complaint. On January 2, 2020, the court issued a decision effectively denying the motion to dismiss. On February 12, 2021, the MGC filed a motion for summary judgment. On June 16, 2021, the Court granted the MGC's motion for summary judgment and dismissed the case. The Court also dismissed the MGC's third-party claims against the Region A Category 1 licensee. The plaintiff appealed the Court's decisions and was granted direct appellate review by the Supreme Judicial Court. On May 23, 2022, the Supreme Judicial Court affirmed the lower court's allowance of the MGC's motion to dismiss the plaintiff's intentional interference with contract claim and reversed its entry of summary judgment in favor of the Massachusetts Gaming Commission on the plaintiff's regulatory takings claim. The matter was remanded to the Superior Court for further proceedings.



# CASINO PROPERTY & PROJECT SUMMARIES

## PLAINRIDGE PARK CASINO

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



<b>Conditional Award of the License</b>	February 2014
<b>Operations Certificate/Date Opened</b>	June 24, 2015
<b>Gaming Space</b>	43,800 sq. ft.
<b>Total Gross Area</b>	197,679 sq. ft.
<b>Capital Investment Amount</b>	\$250 million
<b>Total Employment</b>	342 employees (231 full-time, 109 part-time)
<b>Tax on Gross Gaming Revenues</b>	49%
<b>Parking</b>	1,575 patron spaces (1,818 total)
<b>Slots</b>	904 slots
<b>Table Games</b>	N/A
<b>Additional Amenities</b>	2 full-service restaurants ("Flutie's Sports Bar" and "Slack's Oyster House & Grill") 4 food-court style eateries ("Smashburger" "Dunkin' Donuts" "Slice" "Grab & Game") Live Entertainment ("Revolution Lounge"). Live harness racing April through November. Additional racing concessions/outlets.

\*Data reflects property status as of June 30, 2022.



## MGM SPRINGFIELD

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



<b>Conditional Award of the License</b>	June 2014
<b>Opening Date</b>	August 24, 2018
<b>Gaming Space</b>	126,262 sq. ft.
<b>Total Gross Area</b>	759,157 sq. ft.
<b>Total Investment Amount</b>	\$960 million**
<b>Tax on Gross Gaming Revenues</b>	25%
<b>Parking</b>	3,375 covered on site
<b>Total Employment</b>	1,244 employees (843 full-time, 234 part-time, 167 on call)
<b>Slots</b>	1,527 slots
<b>Table Games</b>	62 tables (14 Poker)
<b>Additional Amenities</b>	240 room hotel (20 rooms converted to 10 larger suites), 8 food and beverage outlets, 26,000 sq. ft. of retail space, bowling alley, cinema, and 54 residential units.

\*Data reflects property status as of June 30, 2022. \*\*Does not include \$60.7 million for land and \$75.5 million for capitalized interest.



## ENCORE BOSTON HARBOR

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



<b>Conditional Award of the License</b>	September 2014
<b>Opening Date</b>	June 23, 2019
<b>Gaming Space</b>	190,461 sq. ft.
<b>Total Gross Area</b>	3.1 million sq. ft.
<b>Total Investment Amount</b>	\$2.6 billion
<b>Total Employment</b>	3,395 employees (2,353 full-time, 1,042 steady extra)
<b>Tax on Gross Gaming Revenues</b>	25%
<b>Parking</b>	2,800 spaces
<b>Slots</b>	2,728 slots
<b>Table Games</b>	199 tables (12 Poker)
<b>Additional Amenities</b>	5-star hotel (671 rooms), 7,776 sq. ft. of retail space, 13 food and beverage outlets, 4 bars and lounges, multipurpose venue, 5-star spa/gym, convention space, extensive outdoor and waterfront space with pavilion and public harbor walk, indoor garden.

\*Data reflects property status as of June 30, 2022.



# RESULTS ON LICENSEE WORKFORCE & SUPPLIER DIVERSITY GOALS

All data is provided from the 2022 Q2 licensee reports.

MGC staff continue to monitor each licensee's adherence toward their stated goals for workforce and supplier diversity, as well as their local commitments.

## Operational Diversity

WORKFORCE						
	Minority		Veterans		Women	
	Goal	Result	Goal	Result	Goal	Result
Encore Boston Harbor	40%	51%	3%	2%	50%	45%
MGM Springfield	50%	50%	2%	6%	50%	40%
Plainridge Park Casino	15%	22%	2%	5%	50%	42%

SUPPLIER						
	MBE		VBE		WBE	
	Goal	Result	Goal	Result	Goal	Result
Encore Boston Harbor	8%	9%	3%	2%	14%	18%
MGM Springfield	10%	3%	2%	3%	15%	3%
Plainridge Park Casino	6%	6%	3%	5%	12%	13%





Local Commitments

ENCORE BOSTON HARBOR		
	Goal	Result
Workforce Within 30 Miles	75%	88%
MA Workforce	N/A	91%
MA Supplier Spend	N/A	52%

PLAINRIDGE PARK CASINO		
	Goal	Result
Host/Surrounding Community Workforce	35%	36%
MA Workforce	N/A	64%
MA Vendor Spend	N/A	66%
Host/Surrounding Community Spend	N/A	13%

MGM SPRINGFIELD		
	Goal	Result
Springfield Workforce	35%	37%
MA Workforce	N/A	76%
Western MA Workforce	N/A	74%
MA Supplier Spend	N/A	48%
Local* Supplier Spend	N/A	38%

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

2022 IAGA Summit's Regulator Roundtable on Balancing Regulation with Constant Change



## INDUSTRY IMPACTS ON WORKFORCE AND DIVERSITY

The information below shows the impacts of the casino industry as a whole.\*\*

	TOTAL	MASSACHUSETTS
<b>Employment</b>		
Total	4,012	3,384
Women	1,717	1,449
Men	2,295	1,935
White	1,454	1,178
Minorities	2,138	1,836
Not Specified*	421	370
Veterans	156	131
Non-Veterans	3,856	3,254
<b>Wages</b>		
Total	\$ 250,353,299	\$ 199,807,848
Women	\$ 100,245,985	\$ 81,305,880
Men	\$ 150,107,314	\$ 118,501,968
White	\$ 100,322,774	\$ 77,463,952
Minorities	\$ 128,197,404	\$ 104,101,877
Not Specified*	\$ 21,833,122	\$ 18,242,019
Veterans	\$ 10,957,966	\$ 9,016,081
Non-Veterans	\$ 239,395,333	\$ 190,791,767
<b>Total Annual Vendor Spend</b>		
Total	\$ 151,910,673.50	\$ 54,975,489.54
MBE	\$ 8,281,097.55	\$ 6,533,133.17
VBE	\$ 1,526,772.46	\$ 401,877.74
WBE	\$ 10,618,151.30	\$ 4,398,521.04

\*Race/ethnicity not specified. \*\*Industry data provided by researchers at UMDI. Averages taken from **calendar year 2021** across all three casino licensees.



**EXECUTIVE STAFF  
(As of June 30, 2022)**

Karen Wells  
Executive Director

Bruce Band  
Assistant Director of IEB; Gaming Agents Division Chief

Monica Chang  
Chief of Financial Investigations

Joe Delaney  
Chief of Community Affairs

Todd Grossman  
General Counsel

Heather Hall  
Chief Enforcement Counsel

Derek Lennon  
Chief Financial Officer

Loretta Lillios  
Director of Investigations and Enforcement Bureau

Katrina Jagroop-Gomes  
Chief Information Officer

Dr. Alexandra Lightbown  
Chief Veterinarian and Director of Racing

Thomas Mills  
Chief of Communications

David Muldrew  
Chief People and Diversity Officer

Kara O'Brien  
Chief of Licensing

Mark Vander Linden  
Director of Research and Responsible Gaming

**COMMISSION STAFF**

Crystal Beauchemin  
Chief Administrative Officer to the Chair and Special Projects Manager



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PUBLISHED: MARCH 7, 2023