



**NOTICE OF MEETING and AGENDA
March 31, 2021**

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

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

**Wednesday, March 31, 2021
1:00 p.m.
Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 112 664 5764**

PUBLIC MEETING #98

1. Call to order
2. Approval of minutes
 - a. March 3, 2021
 - b. March 17, 2021
3. Agenda planning for upcoming Commission Meetings (see attachment)
4. Commissioner Updates
5. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting.

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

Monday, March 29, 2021

Cathy Judd-Stein, Chair



Massachusetts Gaming Commission

MASSACHUSETTS GAMING COMMISSION AGENDA PLANNING NOTES	Assigned Person	Documents Due For Books	Potential Commiss ion Meeting *	NOTES
1. Administrative Update	K. Wells		All Agendas	
2. Regulations (will be added per meeting)	T. Grossman		As Needed	
3. Legislative Updates	T. Grossman J. Griffin C. Howard		As Needed	
4. Community Mitigation Fund Application Reviews	J. Delaney M. Thurlow		As Needed	VOTE
5. Jockey Benefits Payment Request	Dr. Lightbown	4/5/21	4/8/21	VOTE
6. Audit and Compliance Working Grp. Update & Process	K. Wells	4/5/21	4/8/21	
7. Quarterly GameSense Update	M. Vander Linden	4/5/21	4/8/21	
8. Independent Monitor Update	C. Judd-Stein E. O'Brien	4/5/21	4/8/21	
9. Public Records Process	T. Grossman	4/5/21	4/8/21	
10. Recognition Request of Standardbred Owners of MA as Breeder's Representative	Dr. Lightbown	4/5/21	4/8/21	VOTE

MASSACHUSETTS GAMING COMMISSION AGENDA PLANNING NOTES	Assigned Person	Documents Due For Books	Potential Commission Meeting *	NOTES
11. Request to Amend PPC Racing COVID Plan to Allow Up to 3 Owners in Winners Circle	Dr. Lightbown	4/5/21	4/8/21	VOTE
12. PPC Special Event Permit Request	N. Skinner	4/5/21	4/8/21	VOTE
13. Regulation Review Update	E. Zuniga C. Torrisi	4/19/21	4/22/21	
14. Committee - Split	T. Grossman Dr. Lightbown J. Griffin	4/19/21	4/22/21	VOTE
15. MGC Employee and Vendor Diversity	K. Wells D. Lennon J. Griffin		June – Dec.	
16. Update on Tribal Matters – Mashpee Litigation – Martha’s Vineyard Tribal Litigation	K. Wells T. Grossman		Under Review	
17. MGM License Amendment Application -	N. Skinner		Under Review	VOTE
18. Massachusetts Thoroughbred Breeders Association request for consultation			Under Review	VOTE
19. NDA Discussion	K. Wells T. Grossman		Under Review	



Massachusetts Gaming Commission Agenda Setting Meeting Minutes

Date/Time: March 3, 2021 – 10:00 a.m.

Place: VIA CONFERENCE CALL NUMBER: 1-646-741-5293
PARTICIPANT CODE: 111 453 3485

Present: Chair Cathy Judd-Stein
Commissioner Gayle Cameron
Commissioner Eileen O'Brien
Commissioner Enrique Zuniga
Jill Griffin
Karen Wells

Nakisha Skinner
Mark Vander Linden
Joe Delaney
Todd Grossman
Alexandra Lightbown
Loretta Lillios

Call to Order

Chair Cathy Judd-Stein called to order the 96th Agenda-Setting meeting. She noted that given the unprecedented circumstances resulting from the global Coronavirus pandemic, Governor Baker issued an order to provide limited relief from certain provisions of the Open Meeting Law to protect the health and safety of individuals interested in attending public meetings. In keeping with the guidance provided, the Commission conducted a public meeting utilizing remote collaboration technology.

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

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

Approval of Minutes

Commissioner O'Brien moved to approve the minutes from the Agenda Setting Meeting of February 17, 2021, subject to correction for typographical errors or other nonmaterial matters. Commissioner Cameron seconded the motion.

Roll call vote:

Commissioner Cameron: Aye.

Commissioner O'Brien: Aye.

Commissioner Zuniga: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously.



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Agenda Planning for Upcoming Commission Meetings

The Commission discussed the anticipated agenda for the upcoming Commission meeting scheduled for March 11, 2021 and subsequent meetings as described in the attached agenda planning notes, as follows:

Item #1 – Administrative Update. Executive Director Wells stated she had three matters to present before the Commission. (1) The onsite Casino update from Assistant IEB Director and Gaming Agents Chief Bruce Band, and IEB Director Loretta Lillios; (2) Updates about the IAGR Conference and what the current status is for the Conference. Commissioner Cameron stated if it would be better to wait until after the Conference surveys are sent out so there is a better idea of numbers for the Conference. Ms. Wells suggested moving the IAGR Conference updates to March 25, 2021; and (3) Ms. Wells also suggested adding a place holder for an internal division update for March 11, 2021.

Item #2 – Regulations- General Counsel Grossman stated there are no regulations up for approval at this time.

Item #3 – Legislative Updates- Ms. Griffin stated there were no new updates to report.

Item #4 – Second Part of Evaluation on Compensation for Executive Director Wells- Commissioner O'Brien stated that this item will be ready for discussion.

Item #5 – Massachusetts Thoroughbred Breeders Association Request for Consultation- Dr. Lightbown stated that this item was in progress. Chair Judd-Stein moved this item will go under review.

Add-On- Dr. Lightbown stated that Minnie Coleman from the Jockeys Guild will have the qualifications information for payment of the jockey benefits ready for March 11, 2021.

Item #6- MGM One Year Safety Report- Mark Vander Linden stated that he was working with MGM to sort out the data for the report. Mr. Vander Linden noted that Commissioner Cameron and Commissioner O'Brien were involved in the review, and it should be sorted before it is presented before the Commission. Mr. Vander Linden recommended pushing this item to the Public Meeting on March 25, 2021 where he would present both MGM and Encore Public Safety Reports.

Item #7 – MGM License Amendment Application- Ms. Skinner asked for this item to be postponed to another public meeting as the subject area of the license amendment, Wahlburgers, will be not opening until Memorial Day Weekend.

Add On- MGM Request for Exemption- Ms. Skinner suggested swapping this item to the agenda instead of the License Amendment and this will require a vote.

Add-On- Investigations and Enforcement Bureau- Ms. Lillios stated the IEB will have an Encore Boston Harbor Qualifier for the Commission's review for a determination on suitability. This will require a vote.

Ms. Lillios also stated the IEB had received requests from both MGM and Encore to add a fourth seat at the blackjack style tables and to reintroduce craps tables to each gaming establishment. This will require a vote.

(Under Review)

Item #10 – Evaluation Part 2 – Executive Director – This was a place holder in-case the Commission needed to go into deeper discussion about the compensation of Ms. Wells.

Item #11 – Committee Split- Mr. Grossman stated this Item will have to be postponed due to rescheduling of the Horse Racing Committee meeting, and the soonest the Commission can look at any proposed recommendation will be the April 22 public meeting.

Item #12 - Executive Session - Mr. Delaney noted that at the end of the March 25, 2021 public meeting the Commission will need three separate executive sessions to review the capital expenditure plans and status of each of the gaming licensees. Chair Judd-Stein noted they would also need three separate votes in enter into each executive session with each of the Licensees present for their prospective time slots.

Item #13 – Audit and Compliance Working Group Update & Process. This item will be ready for April 8, 2021.

Item #14- MGC Employee and Vendor Diversity- This item will potentially to be added to a Public Meeting in June.

Item #15- NDA Discussion- Ms. Wells and Mr. Grossman recommended that this matter be kept under review.

*Having no further business, Commissioner Zuniga made a motion to adjourn.
Commissioner Cameron seconded the motion.*

Roll Call Vote:

Commissioner Cameron: Aye.

Commissioner O'Brien: Aye.

Commissioner Zuniga: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated March 1, 2021
2. Massachusetts Gaming Commission, Agenda Planning Notes
3. Meeting Minutes of the February 17, 2021 Agenda Setting meeting



Massachusetts Gaming Commission Agenda Setting Meeting Minutes

Date/Time: March 17, 2021 – 10:00 a.m.

Place: VIA CONFERENCE CALL NUMBER: 1-646-741-5293
PARTICIPANT CODE: 111 258 2447

Call to Order

Chair Cathy Judd-Stein called to order the 97th Agenda-Setting meeting. She noted that given the unprecedented circumstances resulting from the global Coronavirus pandemic, Governor Baker issued an order to provide limited relief from certain provisions of the Open Meeting Law to protect the health and safety of individuals interested in attending public meetings. In keeping with the guidance provided, the Commission conducted a public meeting utilizing remote collaboration technology.

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

Commissioner Cameron

Commissioner O'Brien

Commissioner Zuniga

Chair Judd-Stein

Agenda Planning for Upcoming Commission Meetings

The Commission discussed the anticipated agenda for the upcoming Commission meeting scheduled for March 25, 2021 and subsequent meetings as described in the attached agenda planning notes, as follows:

Item #1 – Administrative Update- Executive Director Wells stated that she had three matters to present before the Commission. (1) The onsite casino update from Assistant IEB Director and Gaming Agents Chief Bruce Band, and IEB Director Loretta Lillios; (2) Updates about the IAGR Conference; and (3) a presentation from the 3 senior supervising gaming agents as to the operations of the gaming agents division.

Item #2 – Regulations- General Counsel Grossman indicated there are not any regulations or other legal matters in need of public review by the Commission at this time.

Item #3 – Legislative Updates- Director of Diversity and Legislative Affairs Griffin indicated there were not any new updates to report.



Massachusetts Gaming Commission

Item #4 – Jockey Benefit Payment Request- Director of Racing Lightbown requested that this matter, a follow-up from a previous Commission item, be moved to the April 8 meeting for a vote.

Item #5 – Conference Update- This item can be removed from the chart as it will be part of Director Wells' administrative update.

Item #6- MGM 1 Year Public Safety Report and Item #7 – Encore Boston Harbor 1 year Public Safety Report- Director of Research and Responsible Gaming Vander Linden indicated that these matters will be ready for review as he has communicated with Christopher Bruce and the licensees. The chair recommended that outreach to the respective Mayor's offices, advisory subcommittee members, and other stakeholders be performed to advise of the public presentation.

Item #8- Capital Expenditures Discussion- Encore/MGM/PPC- Director of Community Outreach Delaney indicated that he had communicated with each of the licensees and these matters were ready for presentation to the Commission in executive session. He noted that the PPC matter would be a review of the previous 5 year plan as well as a new proposal. The Encore and MGM reviews would be a review of the prior years' expenditures and discussion about the future plans.

Director Lightbown requested that PPC's request for approval of its racing officials be added to the March 25 agenda as April 12 is the first day of the racing meeting.

Director Lillios communicated a request to add a suitability review of an MGM qualifier as well as a review of a civil administrative penalty assessed to MGM to the March 25 agenda.

Future meetings

Item #9- Audit and Compliance Working Group Update- Ms. Wells suggested keeping this matter scheduled for the April 8 meeting.

The chair indicated that an update relative to the independent monitor's work will be added to the April 8 meeting agenda, and that an interim high-level report is anticipated around Labor Day.

The chair further requested a presentation relative to the public records request response process be added to the April 8 meeting agenda.

Director Lightbown requested that a review of the Standardbred Owners of Massachusetts as the recognized standardbred representatives be added to the April 8 meeting agenda.

Director Delaney recommended adding placeholders to the meeting agendas beginning on April 8 and running through June for a rolling review of Community Mitigation Fund applications that are determined to be ready for public review instead of reviewing them all at one meeting.

Director Skinner requested that a review of a PPC request for a special events beverage permit be added to the April 8 meeting agenda as PPC would like to implement the request, if approved, for the April 12 opening day of racing.

Item #10 – Committee Split- Mr. Grossman stated this item may need to be moved from the April 22 public meeting depending upon whether/when the Horse Racing Committee completes its work in developing a recommendation. There was also discussion as to whether retroactive payments are permissible. The conclusion was that regardless of this timing there would not be any impact on opening day as purse money is already available.

Commissioner Zuniga suggested adding an update on the regulatory review that is underway to the April 22 meeting agenda.

The chair suggested adding a tribal update and litigation review to the under-review section of the chart.

Commissioner O'Brien requested that an update from Encore Boston Harbor and MGM Springfield be added to the March 25 meeting agenda relative to the policies and protocols of the companies pertaining to the return to work for women in particular to ensure that no disparate impact exists.

Item #11- MGC Employee and Vendor Diversity- Ms. Wells suggested keeping this matter on the agenda for June and December presentations.

Item #12 – MGM License Amendment Application- Ms. Skinner suggested keeping this matter relative to Wahlburgers under review.

Item #13 – Massachusetts Thoroughbred Breeders Association request for consultation- Director Lightbown suggested keeping this matter under review.

Item #14- NDA Discussion- Ms. Wells and Mr. Grossman recommended that this matter be kept under review.

Having no further business, Commissioner O'Brien moved to adjourn the meeting.

Commissioner Zuniga seconded the motion.

Roll Call Vote:

Commissioner Cameron: Aye.

Commissioner O'Brien: Aye.

Commissioner Zuniga: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated March 17, 2021
2. Massachusetts Gaming Commission, Agenda Planning Notes