



NOTICE OF MEETING AND AGENDA

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, and Chapter 22 of the Acts of 2022, notice is hereby given of a meeting of the **Massachusetts Gaming Commission**. The meeting will take place:

Wednesday | April 20, 2022 | 10:00 a.m.
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID/ PARTICIPANT CODE: 112 130 0555

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

PUBLIC MEETING #121

- 1) Call to Order – Cathy Judd Stein, Chair
- 2) Approval of Meeting Minutes **VOTE**
 - A. October 13, 2021
 - B. October 27, 2021
 - C. March 23, 2022
 - D. April 06, 2022
- 3) Agenda Planning for Upcoming Public Commission Meetings. (See following pages.)
- 4) Commissioner Updates
- 5) Other Business – Reserved for matters the Chair did not reasonably anticipate at the time of posting.

April 14, 2022

Cathy Judd-Stein

Cathy Judd-Stein, Chair



Massachusetts Gaming Commission

Date Posted to Website: April 15, 2022 | 9:30 a.m. EST

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.

MASSACHUSETTS GAMING COMMISSION AGENDA PLANNING

ALL MEETINGS

AGENDA ITEM TOPIC	MGC REPRESENTATIVE
1 Administrative Update	Wells, K.
2 Regulations	Grossman, T.
3 Legislative Updates	Howard, C. Hill, B. Grossman, T.

NEXT MEETING DATE:

APRIL 25, 2022

AGENDA ITEM TOPIC	MGC REPRESENTATIVE
1 Suitability Review	O’Brien, E. Judd-Stein, C.

MEETING DATE:

APRIL 28, 2022

AGENDA ITEM TOPIC	MGC REPRESENTATIVE
2 Independent Monitor’s Report	O’Brien, E.
3 Public Records Requests -Policy and Technology	Wells, K. Grossman, T. Torrise, C. Jagroop-Gomes, K.
4 Community Mitigation Fund Applications	Delaney, J Thurlow, M.
<i>(continued)</i>	

AGENDA ITEM TOPIC	MGC REPRESENTATIVE
5 Review of Casino Non-Compliance Penalties	Grossman, T. Lillios, L. Hall, H.
6 Plainridge Park Racecourse Request for Capital Improvement Fund Consideration	Lightbown, A.
7 Quarterly Budget Update	Lennon, D.
8 Research Agenda Update and Proposal	Vander Linden, M.

MEETING DATE:
MAY 12, 2022

AGENDA ITEM TOPIC	MGC REPRESENTATIVE
9 MGM Community Research Project	Vander Linden, M. Flores-Pajot, M-C.
10 Review of Racing License Application	Lightbown, A. Grossman, T.
11 GameSense Quarterly Report	Vander Linden, M. Banh, L.
12 Licensee Quarterly Reports	Delaney, J.
13 Community Mitigation Fund	Delaney, J. Thurlow, M.
14 Regulation Review Process	Wells, K. Grossman, T. Howard, C. Torrise, C. Young, J.

MEETING DATE:
May 25, 2022

AGENDA ITEM TOPIC	MGC REPRESENTATIVE
15 Licensee Quarterly Reports	Delaney, J.
16 Community Mitigation Fund	Delaney, J. Thurlow, M.
17 Gambling Advertising White Paper	Vander Linden, M. Flores-Pajot, M-C. Banh, L.

UNDER REVIEW

AGENDA ITEM TOPIC	MGC REPRESENTATIVE
18 ILEV Review Process	Delaney, J. Grossman, T Hill, B.
19 Community Mitigation Fund	Delaney, J Thurlow, M.

Assigned meeting dates are subject to change



Massachusetts Gaming Commission Agenda Setting Meeting Minutes

Date/Time: March 23, 2022 – 11:00 a.m. EST

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID: 111 847 1730

Call to Order

Chair Cathy Judd-Stein called to order Agenda Setting meeting #119 of the Massachusetts Gaming Commission (“Commission”).

The Chair confirmed a quorum for the meeting by roll call. The following Commissioners were present for the meeting:

*Chair Cathy Judd-Stein
Commissioner Gayle Cameron
Commissioner Eileen O’Brien
Commissioner Bradford R. Hill
Commissioner Nakisha Skinner*

Approval of Prior Agenda Setting Meeting Minutes

a. March 9, 2022

Commissioner O’Brien moved to approve the minutes from March 9, 2021, subject to necessary edits for typographical errors or non-material matters. Seconded by Commissioner Cameron.

Roll Call Vote:

<i>Commissioner Cameron</i>	<i>Aye.</i>
<i>Commissioner O’Brien</i>	<i>Aye.</i>
<i>Commissioner Hill</i>	<i>Aye.</i>
<i>Commissioner Skinner</i>	<i>Abstain.</i>
<i>Chair Judd-Stein</i>	<i>Aye.</i>

Motion Passed Unanimously 4-0.

Transcriber’s note: The approved minutes will be corrected for the noted typos before finalization and publication.

Agenda Planning for Upcoming Commission Meetings

The Commission discussed the anticipated agendas for the upcoming Commission meeting scheduled for March 31, 2022, and subsequent meetings described in the attached agenda planning notice, as follows:

Item #1 – Administrative Update

Executive Director Wells confirmed the Administrative Update on March 31st would include an update on gaming establishment operations from Assistant Director Band. Next, Executive Director Wells will present an organizational chart as required by statute, which includes the recent restructuring as well as the addition of the newly hired Chief People and Diversity Officer. Lastly, Executive Director Wells will provide an update to the Commissioners about the lease held for the Boston office, that will be expiring in December 2023 for preliminary discussion with Senior Operations Manager, Maryann Dooley.

Next, Given the length of the March 31st meeting, Executive Director Wells posed two tentative agenda items: a presentation by Pace Setters, a company assisting the Commission with supplier diversity insights; and discussion of the Thoroughbred Licensing applications in conjunction with General Counsel Grossman and Director of Licensing, Dr. Lightbown. After some discussion, the Commission decided to move the Licensing discussion to Under Review for the time being.

Item #2 – Regulations – General Counsel Grossman confirmed the legal department had no regulations to bring forward on March 31st.

Item #3 – Legislative Updates – This item will not be on the agenda for March 31st.

Item #4 – Suitability Review – Commissioner O’Brien asked for the status of a document from the Legal Department to share with Executive Director Wells and the Commissioners. General Counsel Grossman confirmed the document would be ready for circulation within the next few days. Executive Director Wells also noted that there were a few applications for suitability ready for review by the Commissioners. Commissioner O’Brien explained that the decision tree would be most helpful in the decision-making process of the Commission, but that the Meeting Minutes were more necessary to complete and submit in advance of the March 31st public meeting.

After some discussion amongst the Commissioners, it was decided the Suitability Review discussion would be moved to the April 14 public meeting. Executive Director Wells inquired if the Suitability Review would be conducted prior to the Qualifier process. Commissioner O’Brien stated that the Suitability protocol would first need to be discussed and agreed upon, before moving to Qualifier Review process. Chair-Judd Stein suggested a special meeting on process could occur in early April.

Item #5 – Independent Monitor’s Report – Commissioner O’Brien informed the meeting that Commission received notice from the Independent Monitor that they will be unable to share the report on the 31st due to an aspect of the report being reviewed by the licensee, and a scheduling issue. The monitor will be able to provide a silent briefing to the Commissioners in early April,

so Commissioner O'Brien anticipates that the report will be ready for presentation and inclusion on the April 28th agenda.

Item #6 – Community Affairs Division – Community Mitigation Fund –Mr. Delaney confirmed that the Community Affairs Division was prepared to present on two workforce development applications, and third reserve application from Ludlow at the March 31st meeting. Mr. Delaney noted all three applications will require votes of approval from the Commission.

Item# 7 – Racing Division Annual Report – Dr. Lightbown confirmed the Racing Division's Annual Report will be ready for presentation at the March 31st meeting by Financial Analyst, Chad Bourque.

Item #8 – Racing Division – Dr. Lightbown confirmed that the Racing Division will provide presentations from Plainridge Park Racecourse seeking a vote of approval of racing officials and operating personnel, as well a presentation on the waiver of 205 CMR 3.12 (6) and the qualifying race requirement by Steve O'Toole, Director of Racing, at Plainridge Park Casino.

Item #9 – LEAF Business Technical Assistance Grantee Update – Ms. Howard confirmed that LEAF will provide an update and presentation for the Commissioners at the March 31st meeting.

Add-on Item – Annual Report Update – Ms. Howard confirmed that she has a brief update to provide regarding the Annual Report at the meeting, and a draft to present to the Commissioners.

Add-on Item – Covid Impacts Report – Director Vander Linden confirmed that the report was ready for presentation. After some discussion, it was recommended this item be moved to the April 14 public meeting, given the existing length of the March 31st meeting.

Add-on Item – Executive Session – General Counsel Grossman requested an Executive Session for the approval of minutes from prior Executive Sessions at the Commission on March 31st prior to the departure of Commissioner Cameron.

Add-on Item – Executive Session – Counsel Grossman and external counsel from Anderson & Krieger will also provide a litigation update to the Commissioners during the Executive Session on March 31st for the benefit of the Commission, and Commissioner Skinner.

Item #10 – Commissioner Cameron Farewell – Commissioner O'Brien confirmed Commissioner Cameron's Farewell for the March 31st meeting.

Add-On Item – Administrative Update – Chief Information Officer, Ms. Jagroop-Gomes requested an opportunity to recognize a departing member of her staff, Scott Helwig, during the Administrative Update on March 31st.

Items For Public Meeting – April 14, 2022

Administrative Update – Executive Director Wells confirmed she would provide an update on the April 14th meeting and would provide the details at the next agenda setting meeting.

Regulations – General Counsel Grossman confirmed that an update on regulations would be provided at the next agenda setting meeting on April 6, 2022. Associate Counsel Young confirmed two regulations would be presented for a vote at the April 28th meeting, with a public hearing to occur before the public meeting.

Legislative Updates – This item will be discussed at the next agenda setting meeting on April 6, 2022.

Item #11 (from above) – Covid Impacts Report– This item will go forward at the public meeting on April 14th, 2022.

Item #12 – Community Mitigation Fund – Transportation Planning – Mr. Delaney confirmed that the Community Affairs Division would likely have a few applications for review and approval by the Commission at the April 14th meeting but will confirm at the next agenda planning meeting.

Item #13 – Review of Casino Non-Compliance Penalties – Chief Enforcement Counsel Hall, confirmed that the supplemental memo expected by Commissioners had been finalized and delivered. She anticipated that the item would be ready for presentation on either April 14th or April 28th depending on the Commission’s preference. Chair Judd-Stein added that she had asked IEB Director Lillios to add a proposed policy procedure in the appendix of the memo, for the Commission’s approval by a vote. Counsel Hall stated she would confirm the date that the policy would be ready with Director Lillios and provide an update at the next agenda setting meeting.

Add-on Item - Commissioners’ Budget Discussion – Ms. Howard, and Chief Financial Accounting Officer Lennon will provide a presentation on the Commissioners’ Budget, with opportunity for the Commissioners to have a preliminary discussion and ask questions.

Add-On Item – Public Records Discussion – Executive Director Wells will provide an overview on how substantial public records requests are carried out by the Legal Department, with the opportunity for the Commission to engage in discussion about a prospective third party assisting with electronic discovery. Executive Director Wells inquired if this item should be moved forward for inclusion the April 28th meeting, to accommodate the finalization of a policy procedure for the Commission to review. Commissioner O’Brien confirmed.

Items Under Review for Future Meetings – April 28, 2022, and Beyond

Add on Item- Racing- Capital Improvement Project at Suffolk Downs – Dr. Lightbown stated that Steve O’Toole would provide a presentation on this item at the April 28th meeting.

Item #14 – ILEV Review Process – Chief Delaney stated that this item should be placed Under Review for the time being until a new Commissioner is appointed, after the departure of Commissioner Cameron.

Item # 15 Community Mitigation Fund – Other Applications – Mr. Delaney requested a standing agenda item to bring forward future Community Mitigation Fund applications for a vote.

Item # 16 – MGM Community Research Project –Director Vander Linden asked that presentation of the report, authored by Rodolfo Vega, titled: “MGM Impact on Springfield: Community Based Participatory Research” remain Under Review for the time being.

Add-on Item – Racing– Review of New Racing Applications – Dr. Lightbown requested that this item be added Under Review for the time being.

Commissioner Updates:

Commissioner Skinner expressed her gratitude to her fellow Commissioners MGC team for the support and encouragement she’s received from her fellow Commissioners, and the staff as she has been onboarding into her new role.

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

Roll Call Vote:

<i>Commissioner Cameron:</i>	<i>Aye.</i>
<i>Commissioner Hill:</i>	<i>Aye.</i>
<i>Commissioner Skinner</i>	<i>Aye.</i>
<i>Commissioner O’Brien:</i>	<i>Aye.</i>
<i>Chair Judd-Stein:</i>	<i>Aye.</i>

The motion passed unanimously, meeting adjourned.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting & Agenda dated March 17, 2022
2. Agenda Setting Meeting Minutes – March 9, 2022



Massachusetts Gaming Commission Agenda Setting Meeting Minutes

Date/Time: April 06, 2022 – 10:00 a.m. EST

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID: 111 379 5096

Call to Order

Chair Judd-Stein called to order Agenda Setting meeting #120 of the Massachusetts Gaming Commission (“Commission”).

The Chair confirmed a quorum for the meeting by roll call. The following Commissioners were present for the meeting:

*Chair Cathy Judd-Stein
Commissioner Eileen O’Brien
Commissioner Bradford R. Hill
Commissioner Nakisha Skinner*

Agenda Planning for Upcoming Commission Meetings

The Commission discussed the anticipated agenda for the upcoming Commission meetings scheduled for April 11, 2022, April 14, 2022, and subsequent meetings described in the attached agenda planning notice, as follows:

Item #1 – VICI-MGP REIT Transaction – General Counsel Grossman confirmed that the VICI MGP REIT meeting is ready for discussion at the adjudicatory hearing on April 11, 2022, at 10 am.

Items For Public Meeting – April 14, 2022

Item #2 – Administrative Update

Executive Director Wells confirmed the Administrative Update on April 14th would include an update on gaming establishment operations from Assistant Director Band. Executive Director Wells also expects to provide an update on the MGC lease negotiations in an Executive Session.

Chair Judd-Stein also encouraged MGC staff members within different divisions to give presentations about their responsibilities during an Administrative Update, as it would provide

citizens with an understanding of what happens within the Commission. She provided past examples of presentations from the Communications department as well as the Financial Investigations Division. Commissioner O' Brien requested a historical presentation on the previous poker offerings have been at gaming establishments, Encore Boston Harbor and MGM Springfield in the past, and what the offerings are as currently. She also asked for a survey of poker offerings at other establishments in the Northeast. Assistant Director Band confirmed that he had been keeping track of all comments received regarding poker and could provide an update soon, with the 28th being the closest possible public meeting date.

Item #3 – Regulations – The Legal Division had no regulations to bring forward for April 14th.

Item #4 – Legislative Updates – This item will not be on the agenda for April 14th.

Item #5 – Covid Impacts Report – Director Vander Linden confirmed that the Covid Impacts report was ready for presentation. Dr. Rachel Volberg, from UMass Amherst School of Public Health and Health Sciences, will provide a supplemental presentation to the Commission on April 14th.

Item #6 – Community Affairs Division – Transportation Fund – Chief Delaney requested that this item be moved to the April 28th meeting, so that the Community Affairs Division have additional time to review the grant proposals before making their recommendations to the Commission.

Item #7 – Community Mitigation Fund – Workforce Grant Amendment – Chief Delaney confirmed the Community Affairs Division will present an amendment to a previously approved workforce grant proposal, seeking to repurpose funds on the 14th.

Item #8 – Review of Casino Non-Compliance Penalties – Chief Enforcement Counsel Hall confirmed that this item would be ready for presentation on April 28th, A memo, with supplemental appendix would be finalized in advance of the meeting and provided to Commissioners.

Item #9 – Commissioners' Budget Discussion – Chief Financial Accounting Officer Lennon will provide a presentation on the Commissioners' Budget, with opportunity for the Commissioners to have a preliminary discussion and ask questions. A supplemental brief will be provided to Commissioners in advance of the meeting.

Item #10 – Racing- Capital Improvement Project at Suffolk Downs – Dr. Lightbown requested for this item to be moved to the April 28th meeting. Steve O'Toole from Plainridge Park Racecourse will provide supplemental presentation to the Commissioners as well.

Add-On Item – Racing Division- Quarterly Local-Aid and Opening Day – Dr. Lightbown requested an agenda item for approval of quarterly local-aid payments by the Commission as well as a discussion regarding Opening Day for Racing in the Commonwealth.

Add-On Item – Commissioner's Update – Chair Judd-Stein requested an agenda item to appoint a new Treasurer amongst the Commissioners, after the departure of Commissioner Cameron, who previously served as Treasurer.

Items For Public Meeting – April 28, 2022

Item #11 – Independent Monitor’s Report – Commissioner O’Brien anticipates that the report will be ready for inclusion on the April 28th agenda with opportunity for discussion on its findings and recommendations.

Item # 12 – Public Records Discussion – Executive Director Wells will provide a flow chart explaining the policy of how substantial public records requests are carried out by the Legal Department. The Commissioners will have the opportunity to engage in discussion about the public record process, as well as a prospective third party assisting with electronic discovery.

Item #13 – Community Mitigation Fund – Transportation Planning Applications – Chief Delaney confirmed that the Community Affairs Division would likely have a Transportation Planning application for approval by the Commission at the April 28th meeting and will confirm at the next agenda planning meeting.

Add-on Item- Finance Division- Quarterly Budget Update – CFAO Lennon expects to provide the Commission with a short update on the Commission’s Quarter 3 budget on April 28th.

Add-on Item – Responsible Gaming – Research Agenda – Director Vander Linden requested an agenda item for presentation of the fiscal 2023 research agenda, so the Division of Research and Responsible Gaming can begin the contract and planning process in collaboration with GPAC.

Add-on Item – Responsible Gaming – Play My Way Update – Director Vander Linden requested an agenda item for discussion of the status of the Play My Way program at MGM Springfield on April 28th.

Add-on Item – Regulations – Associate Counsel Torrisi requested an agenda item for regulations surrounding Voluntary Self Exclusion, 205 CMR 133, requiring a vote to begin the promulgation process for April 28th. Associate Counsel Young also requested an agenda item for the 28th, for finalization of two regulations: 205 CMR 138.26(4) *Key Maintenance/ Inventory* and 205 CMR 147.00 *Standards of Rules of Table Games*. A public hearing on these two regulations is set to occur at 9:30am in advance the public meeting on April 28th.

Items Under Review for Future Meetings:

The Commission decided upon dates for future meetings in May and June 2022 as follows: May 4th-Agenda Setting, May 12th - Public Meeting, May 18th - Agenda Setting, Wednesday May 25th Public Meeting, June 1st -Agenda Setting, and June 9th - Public Meeting.

Director Vander Linden also shared dates of Gaming Conferences in the coming months in New England:

North American Gaming Regulators Association (NAGRA), Portland ME - June 7-9th

National Council on Problem Gambling, Boston - July 20-23rd

National Council of Legislators from Gaming States (NCLGS), Boston - July 7-10th

International Association of Gaming Advisors, Boston - June 27-29th

Item #14 – Suitability Review – After some discussion, Commissioners agreed that a preliminary discussion of Suitability Review would be provided on the 14th, but that a more thorough discussion of the Suitability Review process would be discussed at a separate public meeting during the week of April 25th. It is anticipated that an executive session will be utilized for discussion of certain subject matter as well.

Item #15 – ILEV Review Process – Chief Delaney stated that this item should be placed Under Review for the time being, until a new Commissioner is appointed.

Item #16 – Community Mitigation Fund – Standing Item – Mr. Delaney confirmed that the Community Affairs Division would likely have a few applications for approval by the Commission at each upcoming public meeting. He will confirm at the preceding agenda planning meeting on a bi-weekly basis.

Item # 17 – MGM Community Research Project –Director Vander Linden asked that presentation of the report, authored by Rodolfo Vega, titled: “MGM Impact on Springfield: Community Based Participatory Research” be scheduled for May 12th.

Item #16 – Racing– Review of New Racing Licensee Applications – This item will be presented by Dr. Lightbown, General Counsel Grossman and Executive Director Wells during the May 12th meeting.

Item# 17 – EBH Service Employee Exemption Requests – Chief Enforcement Counsel Hall stated that this item would be ready for inclusion on either April 14th of the May 12th public meeting agendas

Add- On Item – Responsible Gaming – GeneSense Quarterly Report – Director Vander Linden asked that this item be included for presentation on May 12th.

Add- On Item – Responsible Gaming – Gambling Advertising White Paper– Director Vander Linden asked that this item be kept under review for the time being.

Add- On Item –Community Affairs Division – Licensee Quarterly Reports– Chief Delaney anticipates presentation of the quarterly reports for the three gaming establishments, PPC, EBH, and MGM at the two public meetings in May.

Having no further business, Commissioner O’Brien made a motion to adjourn. Commissioner Hill seconded the motion.

Roll Call Vote:

<i>Commissioner Hill:</i>	<i>Aye.</i>
<i>Commissioner Skinner</i>	<i>Aye.</i>
<i>Commissioner O’Brien:</i>	<i>Aye.</i>
<i>Chair Judd-Stein:</i>	<i>Aye.</i>

The motion passed unanimously, meeting adjourned.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting & Agenda dated April 1, 2022



Massachusetts Gaming Commission Agenda Setting Meeting Minutes

Date/Time: October 13, 2021 – 10:00 a.m. EST

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID: 112 399 4503

Call to Order

Chair Cathy Judd-Stein called to order agenda setting meeting #109 of the Massachusetts Gaming Commission (“Commission”).

The Chair confirmed a quorum for the meeting by roll call. The following Commissioners were present for the meeting:

*Chair Cathy Judd-Stein
Commissioner Gayle Cameron
Commissioner Eileen O’Brien
Commissioner Bradford R. Hill*

Approval of Minutes

Commissioner O’Brien moved to approve the minutes from the Agenda Setting meetings held on September 1, 2021, and September 29, 2021, subject to necessary corrections for typographical errors or other nonmaterial matters. Commissioner Cameron seconded the motion.

Roll Call Vote for the September 1, 2021, minutes occurred in the following order:

<i>Commissioner Cameron</i>	<i>Aye.</i>
<i>Commissioner O’Brien</i>	<i>Aye.</i>
<i>Commissioner R. Hill</i>	<i>Abstain.</i>
<i>Chair Judd-Stein</i>	<i>Aye.</i>

Commissioners Unanimously Voted 3-0, one abstention.

Roll Call Vote for the September 29, 2021, minutes occurred in the following order:

<i>Commissioner Cameron</i>	<i>Aye.</i>
<i>Commissioner O’Brien</i>	<i>Aye.</i>
<i>Commissioner Hill</i>	<i>Aye.</i>

Chair Judd-Stein Aye.
Commissioners Unanimously Voted 4-0.

Agenda Planning for Upcoming Commission Meetings

The Commission discussed the anticipated agenda for the upcoming Commission meeting scheduled for October 21, 2021, and subsequent meetings described in the attached agenda planning notice, as follows:

Item #1 – Administrative Update – Executive Director Wells shared that there were a few updates to present at the October 21 meeting: onsite casino operations update from Director Band; and an update on the Return-to-Work plan for the Boston office. Executive Director Wells also explained that the hybrid work policy, that had been disseminated to MGC staff, needs to be approved for implementation by vote of the Commission at this meeting as well.

Item #2 – Regulations– General Counsel Grossman indicated there are two regulations to bring before the Commission at the October 21 public meeting, that would require a vote to begin the promulgation process.

Item #3 – Legislative Updates – A Legislative update will not occur at the next meeting.

Item # 4 – Community Mitigation Fund Guidelines – Community Affairs Division – Division Chief Delaney stated he would be reporting on the drafted Community Mitigation Fund guidelines at the public meeting. Chief Delaney stated that the updated guidelines, with changes in redline, would be placed in the Commissioner’s packet.

Item #5 –GameSense Quarterly Update– Division of Research & Responsible Gaming – Director Vander Linden stated that Chelsea Turner and Marlene Warner from the Mass Council on Gaming and Health will lead the presentation.

Item #6 –Commercial Real Estate Report – Division of Research & Responsible Gaming – Director Vander Linden will provide an update to the Commission on the report with accompanying presentation from Thomas Peak from the UMass Donahue Institute.

Item #7 – Equity and Inclusion Update – Executive Director Wells and Chair Judd-Stein agreed that this item could be included within the administrative update earlier in the October 21st public meeting.

Add-on Item – Racing Division- Director of Racing, Dr. Lightbown stated the division was ready to provide an update on the Quarterly Local Aid report.

Additional Items for Future Meetings: October 26, 2021, and November 4, 2021

Item #8 – MGM REIT Interim Authorizations – Director Lillios and General Counsel Grossman confirmed that the matter will be ready for discussing on October 26th and that the Commissioners will be provided with a report at least one week in advance of the meeting.

Item #9 – Gambling Harms & The Prevention Paradox in MA – Division of Research & Responsible Gaming & SEIGMA – Director Vander Linden confirmed that this item would likely be ready for inclusion at the November 4th meeting, with Dr. Rachel Volberg providing a presentation.

Item #10 – Live Racing Applications– Chair Judd-Stein inquired about the status of the two applications before the Commission, and the scheduling needs of this item. Dr. Lightbown confirmed that the preliminary steps included scheduling two public hearings with the opportunity for public comments to be submitted in advance of the hearing. Counsel Grossman agreed that it would be best to confirm dates for the public hearings sooner rather than later and recommended the week of November 1st for the hearings and the following week for deliberations to occur. He thought this was especially prudent, if physical locations are required. The Commissioners and Executive Director Wells engaged in discussion about the COVID restrictions and their affect on the public being able to fully participate in the process.

Add-on Item – Community Affairs Division – Quarterly Licensee Reports – Division Chief Delaney stated that the Division was prepared for Quarterly Report presentations from licensees Encore, PPC, and MGM Springfield on either November 4th or November 18th.

Add-on Item – Community Affairs Division – Community Mitigation Fund–Division Chief Delaney stated he would be seeking a vote on reserve application from the Town of Agawam at either the November 4th or November 18th public meetings.

Add-on Item – Finance Division – CFAO Lennon will provide a report on the first quarterly budget update for Fiscal Year 2022 at the November 4th meeting.

Additional Items Under Review:

Item # 11 – Responsible Gaming Framework Follow Up – Director Vander Linden requested to keep this item under review at this time.

Item #12 – Suitability Review Process – Director Lillios anticipates bringing the matter forward for discussion with General Counsel Grossman on November 4th.

Item #13 – Review of Casino Non-Compliance Penalties – Director Lillios requested that this item remain under review for the time being.

Item #14 – ILEV Review Process – Mr. Delaney requested that this item should remain under review until he and General Counsel Grossman can develop a more formal review process pursuant to relevant regulations.

Item #15 – MA Cultural Council Report – Chair Judd-Stein stated that this agenda item be held under review depending on the availability of the new Executive Director of the Cultural Council.

Item #16 – Hiring Process Policy Development – Executive Director Wells requested that this item be moved to the October 21st agenda with a vote from Commissioners on the processes.

Item #17 – Asian CARES Report – Director Vander Linden requested that this item be scheduled for the November 18th public meeting.

Add-on Item – Community Mitigation Fund Final Guidelines – Community Affairs Division – Division Chief Delaney stated he would be seeking a vote on the final Community Mitigation Fund guidelines at the November 18th public meeting.

Add-on Item – Gambling Advertising – Division of Research & Responsible Gaming – Director Vander Linden asked to add this item Under Review for the time being.

Having no further business, Commissioner Cameron moved to adjourn. Commissioner O'Brien seconded the motion.

Roll Call Vote to Adjourn:

Commissioner Cameron: Aye.

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, meeting adjourned.

List of Documents and Other Items Used

1. Notice of Meeting and Agenda, dated October 8, 2021
2. Agenda Setting Minutes – September 1, 2021
3. Agenda Setting Minutes – September 29, 2021



Massachusetts Gaming Commission Agenda Setting Meeting Minutes

Date/Time: October 27, 2021 – 9:00 a.m. EST

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID: 112 399 4503

Call to Order

Chair Cathy Judd-Stein called to order agenda setting meeting #110 of the Massachusetts Gaming Commission (“Commission”).

The Chair confirmed a quorum for the meeting by roll call. The following Commissioners were present for the meeting:

*Chair Cathy Judd-Stein
Commissioner Gayle Cameron
Commissioner Eileen O’Brien
Commissioner Bradford R. Hill*

Agenda Planning for Upcoming Commission Meetings

The Commission discussed the anticipated agenda for the upcoming Commission meeting scheduled for November 4, 2021, and subsequent meetings described in the attached agenda planning notice, as follows:

Item #1 – Administrative Update – Executive Director Wells shared that there were two updates to present at the November 4th meeting: onsite casino operations update from Director Band and IEB Field Manager, Burke Cain; and an update on the Return-to-Work plan for the Boston office.

Item #2 – Regulations– General Counsel Grossman indicated there are no regulations to bring before the Commission at the next public meeting.

Item #3 – Legislative Updates – This item will not be presented at the next public meeting.

Item #4 – Gambling Harms & The Prevention Paradox in MA – Division of Research & Responsible Gaming & SEIGMA – Director Vander Linden confirmed that this item would

likely be ready for inclusion at the November 4th meeting, with the report ready for dissemination in advance of the meeting, as well as a slide deck included in the Commissioner's packet. Dr. Rachel Volberg is confirmed to attend.

Item #5 – Suitability Review Process – Director Lillios would appreciate moving this item to the next meeting, November 18th so that Commissioner O'Brien and Chair Judd-Stein have enough time with the materials after an internal meeting occurring earlier in the month.

Item #6 – Community Affairs Division – Quarterly Licensee Reports – Division Chief Delaney confirmed that the Division was prepared for Quarterly Report presentations from licensee Encore Boston Harbor on November 4th and licensees PPC and MGM Springfield November 18th.

Add-on Item – Community Affairs Division – Community Mitigation Fund–Division Chief Delaney stated he would be seeking a vote on two reserve applications from the Town of Agawam, and Foxboro, at the November 4th public meeting.

Item #7 – Finance Division – Chief Financial and Accounting Officer Lennon will provide a report on the first quarterly budget update for Fiscal Year 2022 at the November 4th meeting.

Add-on Item #8 –Racing Division – Dr. Lightbown requested an agenda item for a report from Steve O'Toole, Director of Racing at Plainridge Park, seeking a vote of approval to re-schedule racing dates.

Add- on Item – Commissioner's Update – Recognition of Former Commissioner Enrique Zuniga – Chair Judd-Stein requested this item be included towards the end of the meeting to accommodate Former Commissioner Zuniga's schedule.

[Additional Items for a Meeting TBD \[prior to November 15, 2021\]:](#)

Item #8 – Live Racing Applications– Chair Judd-Stein inquired about the status of the two applications: one from Plainville Gaming and Redevelopment, LLC; and one from Sturbridge Equine and Agricultural Center, LLC (“SEAC”) Dr. Lightbown confirmed the public hearing for SEAC was scheduled on November 3rd from 4 pm to 7 pm in Sturbridge, Massachusetts. A virtual public hearing will follow on November 8th from 4pm to 7pm. The [virtual] adjudicatory hearing is November 10th from 11:30 am to 3 pm.

Dr. Lightbown confirmed the public hearing for Plainville was virtual and scheduled on November 8th from 10 am to 1 pm. The adjudicatory hearing is November 9th from 1 pm to 4pm, and will be conducted remotely.

[Additional Items for Future Meetings: November 18, 2021](#)

Item #9 – Community Affairs Division – Quarterly Licensee Reports – Division Chief Delaney stated that the Division was prepared for Quarterly Report presentations from licensees PPC and MGM Springfield.

Item #10 – Community Mitigation Fund Final Guidelines – Community Affairs Division – Division Chief Delaney stated he would be seeking a vote on the finalized Community Mitigation Fund guidelines at the November 18th public meeting.

Item #11 – Asian CARES Report – Director Vander Linden confirmed that this item is ready for presentation at the November 18th public meeting.

Additional Items Under Review:

Item # 12 – Responsible Gaming Framework Follow Up – Director Vander Linden requested to keep this item under review at this time.

Item #13 – Review of Casino Non-Compliance Penalties – Director Lillios requested that this item remain under review for the time being.

Item #14 – ILEV Review Process – Mr. Delaney requested that this item should remain under review until he, Commissioner Hill, and General Counsel Grossman can meet internally.

Item #15 – MA Cultural Council Report – Chair Judd-Stein requested that this agenda item be held under review until sometime in December, depending on the availability of the Executive Director, Michael Bobbitt.

Item #16 – Gambling Advertising – Division of Research & Responsible Gaming – Director Vander Linden asked to add this item under review for the time being.

Add-on Item–Equity and Inclusion Update – Executive Director Wells requested that this item be added to the under review section for the time being, with an update to be provided at later a public meeting.

Having no further business, Commissioner O'Brien moved to adjourn. Commissioner Hill seconded.

Roll Call Vote to Adjourn:

Commissioner Cameron: Aye.

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, meeting adjourned.

List of Documents and Other Items Used

1. Notice of Meeting and Agenda, dated October 25, 2021