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## Massachusetts Gaming Commission Agenda Setting Meeting Minutes

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**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 21<sup>st</sup> 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 26<sup>th</sup> 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 4<sup>th</sup> 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 1<sup>st</sup> 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 4<sup>th</sup> or November 18<sup>th</sup>.

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 4<sup>th</sup> or November 18<sup>th</sup> 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 4<sup>th</sup> 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 4<sup>th</sup>.

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 21<sup>st</sup> 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 18<sup>th</sup> 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 18<sup>th</sup> 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