



Massachusetts Gaming Commission Meeting Minutes

Date/Time: October 7, 2021, 10:00 a.m.
Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 112 413 3889

The Commission conducted this public meeting remotely utilizing collaboration technology. Use of this technology was intended to ensure an adequate, alternative means of public access to the Commission's deliberations for any interested member of the public.

Commissioners Present:

Chair Cathy Judd-Stein
Commissioner Gayle Cameron
Commissioner Brad Hill
Commissioner Eileen O'Brien

1. [Call to Order](#) (0:20)

Chair Judd-Stein called to order the 357th public meeting of the Massachusetts Gaming Commission. Roll call attendance was conducted, and all four commissioners were present for the meeting.

2. [Approval of Minutes - April 8, 2021](#) (0:45)

Commissioner O'Brien moved to approve the minutes from the April 8, 2021 public meeting, subject to any necessary changes for typographical errors or non-material matters. Commissioner Cameron seconded.

Roll call vote:

Commissioner Cameron: Aye.

Commissioner O'Brien: Aye.

Commissioner Hill: Abstain.

Chair Judd-Stein: Aye.

The motion passed unanimously.

3. [Administrative Update](#) (0:57)

a. [On-Site Casino Updates](#) (3:45)

IEB Director Loretta Lillios noted that MGM Springfield continues to implement and enforce the city-wide mask mandate for indoor public places. Director Lillios stated there have been no significant issues with the policy, and compliance has been positive on both the personnel side, and the patron side at the property. Director Lillios added that MGM Springfield concluded its outdoor Free Music Friday series that it held over the summer. The program will transition indoors, into one of their ballrooms starting October 15th. Lastly, MGM Springfield is hosting their first conference in the convention area and has ramped up their hiring initiatives and extended offers of employment to nearly 60 people. Director Lillios noted that the IEB and Licensing Division side has seen a steady rise in hires across all three properties and are handling the licensing and background requests as necessary. At Encore Boston Harbor, operations continue to run smoothly. The Department of Public Health was onsite to answer employees' inquiries about the COVID-19 vaccine. Commissioner Cameron thanked Director Lillios for her thorough report.

Assistant Director of Investigations & Enforcement Bureau/Gaming Agents Division Chief Bruce Band reported that Encore Boston Harbor is eliminating two food trucks outdoors with the close of the summer season and is also changing their carpets in the high limit gaming area. Assistant Director Band also shared that the poker room at MGM Springfield is set to re-open on October 29th. The room will consist of 12 tables and an estimated 40 jobs added to the facility. Director Band added that Plainridge Park Casino is operating consistently and seeking to re-open their casual dining restaurant.

b. [Internal Re-Opening Plan Update](#) (4:55)

Executive Director Wells reported that the re-opening of the Boston office will commence on November 1st. She clarified that the office will be open to staff but will not open to the public until a later date. Executive Director Wells shared that the MGC Working group met yesterday and discussed re-opening. From there, she anticipates meeting with managers to review and distribute hybrid work request forms to staff members. Director Wells also shared that she is working to schedule a town hall on the week of the 18th to communicate with the entire staff and discuss the return-to-work policy. Director Wells concluded by sharing that the vaccine verification process has been working extremely well, and there have only been a few requests for exemptions. The Commissioners thanked Director Wells and the Working Group for their work on the return-to-work initiative. Director Wells commended her staff for their help on the project as well.

4. [Research and Responsible Gaming- Massachusetts Gambling Impact Cohort Study Key Findings and Public Health Recommendations](#) (12:38)

Director of Research and Responsible Gaming Mark Vander Linden, joined by Dr. Rachel Volberg, SEIGMA Principal Investigator and Professor at UMass Amherst, introduced the report on the Massachusetts Gambling Impact Cohort Study ("MAGIC"). MAGIC is the first adult

longitudinal cohort study of gambling and problem gambling in the US. With an initial sample of 3,139 Massachusetts residents, the MAGIC study surveyed the same individuals five times across a six-year time span, (2013-2019). The research accomplished three key objectives: first, it provides information on how gambling and problem gambling develops, progresses, and remits over time. Second, it identified demographic groups particularly at risk of experiencing gambling related problems. Finally, it highlighted risk and protective factors important in developing effective prevention, treatment, and policies to support player health. Director Vander Linden's report provided a high-level overview of the MAGIC study, focusing on its public health recommendations. The report, and an accompanying presentation were included in the Commissioner's packet, on pages 14 through 23. Director Vander Linden also provided a link for more information on the study's methodology and findings:

<https://massgaming.com/research/massachusetts-gambling-impact-cohort-study-six-year-longitudinal-study-of-gambling-and-problem-gambling-in-massachusetts/>

At the conclusion of the presentation by Director Vander Linden and Dr. Volberg, Commissioners asked questions pertaining to the study and accompanying report. Commissioner Cameron commended how effective the study was at retaining participants across the six year span of the study. Additionally, Commissioner Cameron asked if it was positive that many of the participants in the study transitioned downward from a less severe category, like "problem gambler" to "at-risk gambler". Dr. Volberg agreed, stating it was positive indication, but also explained that the transition could be indicative of the cycle of problem gaming and how difficulties can and do often re-emerge in this population. Dr. Volberg shared that Massachusetts, in contrast to some of the other international jurisdictions, has a larger proportion of people who are not first-time or early onset problem gamblers. To that end, the Commonwealth has more of a population of people who've had difficulties in the past, and then develop difficulties again. Dr. Vander Linden agreed and shared that these factors require a somewhat different mix of messaging of prevention and treatment, to be able to address both of those kinds of problems and their onset.

Commissioner Hill commended the report for being informative and appreciated that responsible gaming was a key priority of the Commission. He then inquired about the correlation between mental health and problem gaming, and if Director Vander Linden and Dr. Volberg considered methods to specifically assist individuals with co-occurring conditions such as gambling addiction and mental health disorders. Director Vander Linden agreed that the comorbidity between gambling disorders and mental health disorders was high and can reach over 90% in some cases. Director Vander Linden highlighted the benefit of increasing trainings for practitioners to recognize and comfortably speak about gambling disorders as essential, and strongly recommended that increasing the number of trainings and incentives for clinicians to access that type of training to increase their capacity to understand and treat it would be incredibly beneficial. Commissioner Hill thanked Director Vander Linden, and the entire Division for their hard work in the Commonwealth.

Commissioner O'Brien asked Director Vander Linden about the parameters for school-based programs in the Commonwealth noted within the report's recommendations. Director Vander Linden clarified that the programs were both for High School and College level students, however, that not all programs and trainings would be appropriate for all age groups. He

explained that considerations would be made when determining which prevention programs would be utilized for specific age demographics. Additionally, Director Vander Linden stated he would provide the Commissioners with a copy of the Youth Survey conducted by the City of Springfield on gambling behavior amongst 8th through 12th grade students. Chair Judd-Stein thanked Director Vander Linden and Dr. Volberg for their time and shared that she looked forward to learning about their additional research initiatives in the near future.

5. [Appointment of Commission Treasurer](#) (01:13:33)

Derek Lennon, Chief Financial and Accounting Officer shared that with the departure of Commissioner Zuniga, who had previously served as Commission Treasurer, the Commissioners would need to elect a new Commissioner to serve in the role. Chief Lennon explained that G.L. c. 23K, §§ 3(f) and 3(i) required the Commission to annually elect its members to serve as a treasurer, and as secretary. Chief Lennon explained that the Commission cannot transfer funds without the approval of the Commission in the form of signatures of Chief Financial Officer and Treasurer, so the role is very important to the fiscal operations of the Commission.

Chair Judd-Stein explained that the role did need to be filled immediately; and that once the next Commissioner is appointed by Treasurer Goldberg, the matter could be discussed and revisited. Chair Judd-Stein reported that she had approached Commissioner Cameron and inquired if she would be willing and able to serve as the Commission’s Treasurer. Commissioner Cameron confirmed to the Chair and her fellow Commissioners that she was available to serve and confirmed the role would fit into her schedule. Commissioner Cameron further stated that if elected, she would be honored to serve in the capacity of Treasurer and has been impressed by the way the Commission has structured its budget in the years prior.

With that, Commissioner O’Brien moved to appoint Commissioner Cameron as Treasurer of the Commission in accordance with G.L. c. 23K, § 3(f). Commissioner Hill seconded the motion.

Roll call vote:

*Commissioner Cameron: Abstain.
Commissioner O’Brien: Aye.
Commissioner Hill: Aye.
Chair Judd-Stein: Aye.*

The motion passed 3-0, with one abstention.

Transcribers Note: The meeting was paused for 10 minutes, and then reconvened with all Commissioners Present. [\(01:31:54\)](#)

6. [Community Affairs Division](#) (01:32:15)

a. Community Mitigation Fund Subcommittee Appointments (8:30)

Chief of Community Affairs Joe Delaney shared that Local Community Mitigation Advisory Committee (“LCMAC”) positions needed to be annually reappointed, pursuant to G.L. c. 23K, § 68 and were set to expire on October 8, 2021. Chief Delaney provided a supplemental

memorandum to the Commissioners in the Commissioner's Packet, on pages 24 through 27. The memorandum included the names and biographies of the individuals who presently serve on the Committees in Region A and Region B, whom have all agreed to serve for an additional year.

Chair Judd-Stein inquired if there were any additional vacancies that the Mitigation Fund Subcommittee was seeking to fill within the Region. Chief Delaney confirmed that the Region A LCMAC was still seeking a human services provider position that had not yet been filled. Region B LCMAC was seeking a Regional Economic Development Organization representative and a Human Services Provider as well. Chair-Judd Stein asked Chief Delaney to circulate the description of the roles to the Commissioners, so that they may be able to help the Division find interested candidates. Mr. Delaney agreed.

Commissioner Hill moved that Commission reappoint Vincent Panzini, David Bancroft, and Mayra I. Negrón-Rivera, to the Region A LCMAC; and Allison Ebner and Ellen Patashnick to the Region B LCMAC Subcommittee. Commissioner Cameron seconded.

Roll call vote:

Commissioner Cameron: Aye.

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Chair Judd-Stein: Aye.

The motion passed 4-0.

b. MGC Subcommittee Representative (01:36:53)

Next, Chief Delaney shared that Community Mitigation Advisory Subcommittee is working with the Governor's office to try and identify several appointments for that subcommittee. He explained that the Commission has the authority to choose one representative of the Commission to be on the Community Mitigation Subcommittee. Mr. Delaney clarified that the Commission representative would be essential, as the subcommittee is currently short of a quorum. The subcommittee could begin holding meetings again with a Commission Representative present. Last year, the Commission designated Commissioner Stebbins for that Subcommittee. Chair Judd-Stein recommended that Commissioner Hill take over the position, as he brings an extensive knowledge on the municipal side of the government as well as his extensive background in the legislature. Commissioner Cameron and Commissioner O'Brien agreed it was an excellent recommendation.

Commissioner Cameron moved that the Commission appoint Commissioner Hill to the Subcommittee on Community Mitigation as the Commission's Representative in accordance with G.L. c. 23K, § 68(b). Commissioner O'Brien seconded.

Roll call vote:

Commissioner Cameron: Aye.

Commissioner O'Brien: Aye.

Commissioner Hill: Abstain.

*Chair Judd-Stein: Aye.
The motion passed 3-0, with one abstention.*

c. [Department of Conservations & Recreation Transportation Planning Applications](#)
(01:39:27)

Next, Chief Delaney turned to a Transportation Planning Application the Community Mitigation Fund received. The Department of Conservation and Recreation (“DCR”) applied to repurpose the funds previously awarded to the cities of Everett and Somerville to complete the design and construction of a pedestrian bridge over the Mystic River. The bridge is adjacent to the Assembly Square MBTA station, Draw Seven Park, and the Encore Boston Harbor. DCR is seeking \$650,000. Chief Delaney provided Commissioners with an overview and history of the project included within a supplemental memorandum on pages 28 through 31 of the Commissioner’s packet. DCR’s Transportation Planning Application was included on pages 32 through 41.

During his presentation, Chief Delaney clarified that repurposing the previously allocated funds in no way affects the cities of Everett and Somerville, or any other eligible entity, from pursuing further CMF grants to resurrect the design and/or construction of the Assembly connector bridge in the future. In fact, the repurposing of these funds may be the action that ultimately allows that work to proceed. Chief Delaney and Senior Project Manager Thurlow recommended that the Commission approve DCR’s request of \$650,000 for the purposes outlined in its application. Chief Delaney explained that following the Commission’s approval, staff will execute a grant agreement and ISA with the Department of Conservation and Recreation. Commissioners expressed their support of the designs, as well as the thoroughness of the application and supplemental report submitted by the Division.

Commissioner O’Brien moved that the Commission approve the Department of Conservation and Recreation’s request for grant of \$650,000 to complete the design of the pedestrian bicycle bridge over the Mystic River, as described in the materials included in the Commissioner’s packet and as discussed here today. Commissioner O’Brien further moved the Commission staff be authorized to execute all necessary grant instruments commemorating the award in accordance with 205 CMR 153.04. Commissioner Hill seconded.

*Roll call vote:
Commissioner Cameron: Aye.
Commissioner O’Brien: Aye.
Commissioner Hill: Aye.
Chair Judd-Stein: Aye.
The motion passed 4-0.*

7. [Legal Division - Revisions to Regulations](#) (2:01:30)

Associate General Counsel Torrasi brought forward three regulations for review and vote to begin the promulgation process before the Commission: 205 CMR 134.01 - Key Gaming Employee Licensees; 205 CMR 134.02- Gaming Employee Licensees; and 205 CMR 134.03- Gaming Service Employees. Attorney Torrasi explained that during the COVID-19 pandemic in 2020, the Commission voted to amend the regulations to allow the licensees to bring in staff from sister properties to assist with training, strategy, and operation depending on the type of position that the person held- without requiring that they be licensed or registered by the Commission. Since then, the IEB last learned from the licensees that the properties would benefit if this exemption was broadened to allow staff from sister properties to assist at the gaming establishments in the Commonwealth for a limited period for trainings, not only during emergencies, but also any period that is first approved by the IEB. Attorney Torrasi clarified that the approval would still be limited to a 60-day period, with a one-time extension for up to 6-months upon approval by the Commission. Red-lined versions of the regulations with draft language and accompanying Small Business Impact Statement were included in the Commissioner's Packet on pages 42- 52.

Commissioners engaged in a thorough discussion on the benefits of the promulgation, given the ongoing pandemic, but also expressed their concerns that the provision could impact the potential for long-term jobs for citizens of the Commonwealth. Commissioner O'Brien shared her concern that the language, as drafted, could allow for the licensees to continually rotate personnel in every six months and a local candidate could be denied an opportunity for meaningful employment, accordingly. IEB Director Lillios clarified that all the Licensees were on board with language that limits how often the provision is utilized and eliminates a revolving door of candidates being brought in from sister properties outside the jurisdiction. Commissioner Cameron echoed Commissioner O'Brien concerns but noted her appreciation that the approval of the requests rests ultimately within the discretion of the IEB, which limits the potential for misuse. Commissioner O' Brien agreed that the IEB was best position to safeguard the use of the provision, but also asked that the language be drafted to clearly eliminate the same position being continually filled by a candidate from a sister property every 6 months. Attorney Torrasi agreed that the legal department would work on language that is consistent with that principle and would bring the regulations back to the Commission for their review at a later public meeting.

Chair Judd-Stein then inquired if a vote was necessary. Attorney Torrasi said a vote was not necessary at this time, but that the Legal Division would craft the language discussed during the meeting and bring the regulations back before the Commission and seek a vote to begin the promulgation process at that date. Commissioners agreed with this plan and thanked the Legal Division and Director Lillios for their presentation.

8. Commissioner's Update

9. [Other Business](#) (2:16:41)

With no other business before the Commission, Commissioner Hill moved to adjourn the meeting. Commissioner O'Brien seconded the motion.

Roll call vote:

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 5, 2021
2. [Commissioners' Packet](#) from the October 7, 2021, meeting (posted on massgaming.com)