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## Massachusetts Gaming Commission Agenda Setting Meeting Minutes

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**Date/Time:** February 2nd, 2022 – 10:00 a.m. EST

**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
MEETING ID: 112 680 4014

### Call to Order

Chair Cathy Judd-Stein called to order Agenda Setting meeting #116 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 Prior Agenda Setting Meeting Minutes

- a. January 5, 2022
- b. January 19, 2022

Commissioner O’Brien moved to approve the minutes subject to any necessary edits for typographical errors or non-material matters. Seconded by Commissioner Hill.

*Commissioners Unanimously Voted 4-0, by two separate Roll Call votes ad seriatim (first January 5, 2022, and then January 19, 2022) on each meeting minute packet in the following order:*

<i>Commissioner Gayle Cameron</i>	<i>Aye.</i>
<i>Commissioner Eileen O’Brien</i>	<i>Aye.</i>
<i>Commissioner Bradford Hill</i>	<i>Aye.</i>
<i>Chair Cathy Judd-Stein</i>	<i>Aye.</i>

*Motion Passed Unanimously 4-0.*

### Agenda Planning for Upcoming Commission Meetings

*The Commission discussed the anticipated agendas for the upcoming Commission meeting scheduled for February 10, 2022, and subsequent meetings described in the attached agenda planning notice, as follows:*

Item #1 – Administrative Update

Executive Director Wells stated that existing items for discussion are to include remarks from Mr. Bruce Band on casino operations, and updates on the Return-to-Work Update (Hybrid-Work Policy) being set to commence February 14, 2022. Ms. Wells expects a thorough discussion to occur at the next Commission meeting on Feb 10, 2022, with discussion to include mask requirements within the office. Chair Judd-Stein also requested updates from the Compliance Committee to occur sometime soon.

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 –Counsel Grossman and Ms. Howard confirmed that a Legislative update will not occur at the next meeting, but they are monitoring existing legislative issues.

Item #4 – Review of Casino Non-Compliance Penalties – Ms. Hall stated that this item would be presented at the February 10 meeting. Ms. Hall stated that a memo will be ready for presentation at the February 10, meeting, but clarified that a vote will not be required, as it more of an overview of the current process with discussion occurring following presentation.

Item #5 – Covid Impacts Report– Director Vander Linden confirmed that this item is not ready to be discussed at the February 10 meeting, due to an additional review process. Mr. Vander Linden requested that the agenda item be moved under review for a public meeting date, ideally later in March.

Item #6 – Responsible Gaming – GameSense Quarterly Report – Director Vander Linden confirmed that a general update mentioning all three centers at all three gaming establishments will be given by GameSense Agents.

Item #7 – Mid-Term Finance Review – Chief Financial and Accounting Officer, Derek Lennon confirmed this issue will be ready for presentation at the February 10 meeting and documentation placed into the Commissioner’s packet.

Item #8 – EBH Request re: Expired Ticket Payment – Mr. Lennon confirmed that Mr. O’Donnell will provide a memo to be placed in the packet on this item for the Commission to review at the February 10 meeting, along with a recommendation.

Item # 9 – Encore Broadway Development – Division Chief Delaney stated that he and Counsel Grossman are prepared to provide an update and discussion on the licensee’s materials as well as an internal memorandum for discussion on February 10th. After discussion with Commissioner O’Brien and Chair Judd-Stein, Mr. Delaney anticipates that a public hearing could occur on February 28 at mid-day with the written comment submission period ending on February 25; and oral comments being able to be given February 28<sup>th</sup> meeting. A vote would then occur at the March 3<sup>rd</sup> Public Meeting. Commissioners also discussed the time of the meeting to allow for an increase in public participation.

Item #10 – Plainridge Park Casino (PPC) – Quarterly Reports – Division Chief Delaney would like to begin the Quarterly Report presentation on February 10, towards the end of the meeting with licensee attending as well. Mr. Delaney requested an executive session for presentation of the PPC capital expenditure reports, at the end February 10 meeting.

Item #11 – Encore Boston Harbor – Quarterly Reports– Division Chief Delaney would like to begin this Quarterly Report presentation on February 10, towards the end of the meeting with the licensee attending to share their presentations. Mr. Delaney requested separate executive sessions with separate link for capital expenditure reports, (one for each licensee) at the end of the February 10 meeting.

Add-on Item – MA Cultural Council Report – Chair Judd-Stein confirmed that this item was ready for inclusion on the February 10 agenda with an accompanying presentation from guest speaker, Executive Director Michael Bobbitt.

Add-on Item – Racing Division – Suffolk Downs Account Wagering Providers– Dr. Lightbown would also like to add a discussion of Suffolk Downs request for authorization to use the “Bet MGM” product at Suffolk Downs to the February 10 agenda. A memo would be circulated in advance of the public meeting and included in the Commissioners’ packet.

Add-on Item – MGC Annual Report – Ms. Howard would like to provide a review of the preliminary draft of the Annual Report so that they can begin the design. Ms. Howard clarified that a formal and final review would occur later in a public meeting format for Commissioners to approve the report.

#### Items For Future Meetings – March 3, 2022

Item #12 – Gambling Advertising – Mr. Vander Linden confirmed that March 3rd would be an optimal date for discussion.

Item #11 – MGM Springfield – Quarterly Reports – Division Chief Delaney would also like to begin this Quarterly Report presentation on March 3 towards the end of the meeting. Mr. Delaney requested an executive session with separate link for discussion of MGM’s capital expenditure report at the end meeting.

Item #14 – Responsible Gaming–Problem Gambling Awareness Month– Director Vander Linden requested these matters be added to the meeting agenda in advance of Problem Gambling Awareness Month, with supplemental updates given at public meetings throughout March.

Item #15 – Responsible Gaming– Play My Way– Director Vander Linden estimated that he would be able to provide an update of this program along with Chief Information Officer, Ms. Jagroop-Gomes at the beginning of the month, with roll-out occurring later in the month of March.

Add-on Item – Heather Hall, Chief Enforcement Counsel and Assistant Director of the Investigations & Enforcement Bureau requested an agenda item for preliminary review of the

trust related to the VICI transaction for the March 3<sup>rd</sup> meeting, as well as an overview of the transaction, with General Counsel Grossman.

Add-on Item – Commissioner O’Brien noted that Commissioner Cameron’s Send-off meeting with the Commission will be March 31<sup>st</sup>.

Additional Items for Under Review:

Item #16 – Responsible Gaming Framework Follow Up – Director Vander Linden requested to keep this item under review at this time.

Item #17 – ILEV Review Process – Mr. Delaney agreed that this item should be ready for discussion in front of the Commission in March.

Item #18 – MA Cultural Council Report – *This item was moved to the agenda for presentation at the February 10 meeting.*

Item #19 – Leaf Business Technical Assistance Grantee Update – Ms. Howard stated that this item will be ready for presentation on either March 17 or 31.

Add-on Item – Community Affairs Division – Mr. Delaney anticipates that the division will have presentations and applications for review in the spring and summer months for the Commission to approve. Mr. Delaney stated that he and Ms. Thurlow would keep the Commission updated with the number of applications they receive.

Add-on Item – Independent Monitor’s Report – Commissioner O’Brien anticipates that this item will be ready to be presented at a meeting later in March.

*Having no further business, Commissioner Cameron moved to adjourn. 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. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated January 31, 2022
2. Agenda Setting Meeting Minutes – January 15, 2022
3. Agenda Setting Meeting Minutes – January 19, 2022

