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## Massachusetts Gaming Commission Agenda Setting Meeting Minutes

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**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.



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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