



Massachusetts Gaming Commission Agenda Setting Meeting Minutes

Date/Time: March 31, 2021 – 1:00 p.m.
Place: VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 112 664 5764

Call to Order

Chair Cathy Judd-Stein called to order the 98th 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 this meeting utilizing remote collaboration technology.

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

*Commissioner O'Brien
Commissioner Zuniga
Chair Judd-Stein*

Commissioner Cameron was not present.

Approval of Minutes

Commissioner O'Brien moved to approve the minutes from the agenda setting meeting of March 3, 2021, subject to correction for typographical errors or other nonmaterial matters. Commissioner Zuniga seconded the motion.

*Commissioner O'Brien: Aye.
Commissioner Zuniga: Aye.
Chair Judd-Stein: Aye.
Motion passed unanimously.*

Commissioner O'Brien moved to approve the minutes from the agenda setting meeting of March 17, 2021, subject to correction for typographical errors or other nonmaterial matters. Commissioner Zuniga seconded the motion.

*Commissioner O'Brien:
Chair Judd-Stein: Aye. Aye.*

Commissioner Zuniga: Aye.
Motion passed unanimously.

Agenda Planning for Upcoming Commission Meetings

The Commission discussed the anticipated agendas for the upcoming Commission meeting scheduled for April 8, 2021 and subsequent meetings described in the attached agenda planning notes, as follows:

Item #1 – Administrative Update.

Executive Director Karen Wells stated there will be a casino operation update by IEB Director Loretta Lillios and Gaming Agents Division Chief Bruce Band, and that the Commission will receive an update on the financial investigation division from Financial Investigations Supervisor Monica Chang. Ms. Wells asked to add an item for a staff recognition as well.

Item #2 – Regulations.

Associate General Counsel Carrie Torrisi stated there is one set of regulations to go before the Commission for next week's public meeting. The amendments to the three sections of the gaming equipment regulation 205 CMR 146.13, 146.49 and 146.51 previously reviewed by the Commission for adoption will be ready for final promulgation. The amendments relate to removing references to the 6:5 variation to ensure consistency with previous amendments to the rules for the game of Blackjack.

Item #3 – Legislative Update.

Director of Diversity and Legislative Affairs Jill Griffin stated there are no items in need of presentation before the Commission.

Item #4 – Community Mitigation Fund Application Review.

Chief of Community Affairs Joe Delaney stated there should be three grant applications ready for the Commission and this item will require a vote; two workforce applications and one community planning. Mr. Delaney stated Ms. Griffin and Ms. Howard are working on their Memoranda and if finished they will be presented to the Commissioners by the close of business April 2, 2021.

Item #5 – Jockey Benefits Payment Request.

Director of Racing Dr. Lightbown stated this item should be ready by April 8, 2021. This is a follow-up to the Commission's recent review of this matter at a prior public meeting.

Item #6 – Audit and Compliance Working Group.

Ms. Wells stated this item is all set to go before the Commission.

Item #7 – Quarterly GameSense Update.

Director of Research and Responsible Gaming Mark Vander Linden stated this item is all set and ready to go for the April 8 public meeting.

Commissioner Zuniga noted it would be nice to have a follow -up or multiple on the policy implications of the MAGIC Report. Chair Judd Stein asked that this could be put under review as part of the Responsible Gaming Framework and Policy Development for a future public meeting.

Item #8 – Independent Monitor Update.

The Chair stated this item should be straightforward and just a brief update relative to the Independent Monitor plan.

Item #9 – Public Records Process.

Ms. Wells asked that this item be placed under review.

Item #10 – Recognition Request of Standardbred Owners of MA as Breeders' Representative
Dr. Lightbown suggested the item be added to the May 20 public meeting.

Chair Judd-Stein suggested that Dr. Lightbown discuss the opening day of racing at PPC at the April 8, 2020 meeting and Ms. Wells noted that it will be added to the Administrative Update.

Item # 11 – Request to Amend PPC Racing Covid Plan to Allow up to 3 owners in Winner's Circle.

Dr. Lightbown requested that this item be placed under review.

Item #12 – PPC Special Even Permit Request.

Director of Licensing Nakisha Skinner indicated that this item can be removed from the agenda as Plainridge Park Casino has elected not to serve alcoholic beverages at opening day.

Discussion about future meetings:

Item #13 – Regulation Review Update.

Commissioner Zuniga asked that this item be moved to the first meeting in May.

Item #14 – Racehorse Development Fund split recommendation.

Dr. Lightbown indicated that this item would have to be moved to the first meeting in May in recognition of the 30-day statutory period after submission of the recommendation to the Legislature by the Horse Racing Committee.

Item #15 – MGC Employee and Vendor Diversity.

Ms. Wells stated that she would update the Commission relative to employee and vendor diversity on a normal cadence of every six months.

Item #16 – Update on Tribal Matters-Mashpee Litigation- Martha's Vineyard Tribal Litigation.

Associate General Counsel Caitlin Monahan stated this item will be ready for presentation at the May 6 meeting.

Item #17- MGM Gaming Beverage License Amendment Application.

Ms. Skinner noted there is a forthcoming request from MGM Springfield to amend its gaming beverage license to include Wahlburgers as they are considering a soft opening on May 11, 2021.

Item #18- Massachusetts Thoroughbred Breeders Association request for consultation.

Ms. Wells stated that Dr. Lightbown and General Counsel Grossman are working on preparing a letter for this item and will update the Commission as appropriate.

Item #19- NDA discussion.

This matter can remain under review.

Additional matters

CFAO Derek Lennon requested that a quarterly budget update for the quarter that ended on March 31, 2021 be added to the May 6, 2021 meeting.

Commissioner Zuniga raised the possibility of adding a budget discussion at the end of June for the following year's budget. Mr. Lennon stated that he has scheduled meetings with the licensees for the end of April and hopes to get the information by the end of May. If things go as planned, the Commission will be able to review the matter at the end of June or early July.

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

Roll call vote:

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 29, 2021
2. Massachusetts Gaming Commission Agenda Planning Notes
3. Meeting Minutes of the March 3 and 17, 2021 Agenda Setting meetings