



---

## Massachusetts Gaming Commission Agenda Setting Meeting Minutes

---

**Date/Time:** March 9, 2022 – 11:00 a.m. EST

**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
MEETING ID: 111 847 1730

### Call to Order

Chair Cathy Judd-Stein called to order Agenda Setting meeting #118 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*

*Prior to the start of the meeting, Chair Judd-Stein asked the Commission and staff on the call to join in a moment of silence to honor fallen Massachusetts State Trooper Tamar Bacci who was killed while rendering aid to a civilian in distress last week.*

*Next, Commissioners and Chair Judd Stein offered their congratulations and a welcome to Licensing Division Chief, Nakisha Skinner, who was appointed to the Commission by Treasurer Deborah Golberg.*

### ***Approval of Prior Agenda Setting Meeting Minutes***

- a. November 10, 2021
- b. February 16, 2022

Commissioner O’Brien moved to approve the minutes from November 10, 2021, and February 16, 2022, ad seriatim, subject to necessary edits for typographical errors or non-material matters. Seconded by Commissioner Cameron.

*Roll Call Vote:  
Commissioner Cameron      Aye.*

Commissioner O'Brien      Aye.  
Commissioner Hill          Aye.  
Chair Judd-Stein          Aye.

*Motion Passed Unanimously 4-0.*

### **Agenda Planning for Upcoming Commission Meetings**

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

Item # 1 – Encore Broadway Development Update – Community Affairs Division Chief Delaney stated that one more item would be sent to Commissioners and placed into the meeting packet in advance of the public meeting. Chair Judd-Stein asked if the Commissioners would want an overview of the process thus far to include public comments received by the Commission throughout the process. Ms. Howard confirmed that the comments would be placed within the packet.

### **Items For Public Meeting – March 14, 2022**

#### Item #2 – Administrative Update

Executive Director Wells confirmed the Administrative Update on March 14 would include an update on Licensee casino operations from Assistant Director Band, and a brief update from Assistant Director Band on the Licensee COVID-19 Operations guidelines, if the Commissioners so desire.

Item #3 – Regulations– General Counsel Grossman confirmed the legal department had no regulations to bring forward at this time.

Item #4 – Legislative Updates –Ms. Howard confirmed this item would not be on the agenda.

Item #5 – Gambling Advertising– Executive Director Wells confirmed that this item will be ready for inclusion on March 14, with presentation from the Division of Research and Responsible Gaming team: Director Vander Linden, Mr. Banh, and Ms. Flores-Pajot.

Item #6 – Suitability Review– Director Lillios confirmed that the legal department will be working on a process guide that will aid the discussions on March 14<sup>th</sup> or on a later meeting date, if necessary. Director Lillios also confirmed to Chair Judd-Stein that there are four completed reports that are ready for review, with additional reports nearing finalizations. *After additional discussion, and given the complexity of the suitability review process, Commissioners agreed to place this item on the Agenda for March 31<sup>st</sup>.*

Item #7– Recognition of the Jockey Guild– Dr. Lightbown stated this item was ready to move forward on the 14<sup>th</sup> and that two supplemental memos will be placed into the Commissioners’ packet: one written by Dr. Lightbown, and one from an external presenter that will attend the meeting.

Item #8 – Encore Broadway Development Update – Chief Delaney stated that this item will be reserved as a placeholder for additional discussion if the meeting on March 10<sup>th</sup> runs longer for time.

Item #9 – Annual Report Update – Ms. Howard confirmed that she has a brief update on the Annual Report at the meeting and a draft to present to the Commission.

### Items For Future Meetings – March 31, 2022

Item #10 – Administrative Update – Executive Director Wells confirmed that she would provide an administrative update at the next meeting, and would provide more information at the next agenda setting meeting.

Item #11 – Regulations – This item will be discussed at the next agenda setting meeting, as the March 31<sup>st</sup> meeting approaches.

Item #12 – Legislative Updates – This item will be discussed at the next agenda setting meeting, as the March 31<sup>st</sup> meeting approaches.

Item #13 – Independent Monitor’s Report – Commissioners expect a full report and presentation will be ready for discussion on March 31<sup>st</sup> with a silent briefing to occur sometime in advance, with Commissioner Skinner able to participate in both meetings.

Item #14 – Community Affairs Division – Community Mitigation Fund – Mr. Delaney confirmed that the Community Affairs Division would bring forward two workforce development applications, and a possible third application as well for the March 31<sup>st</sup> meeting. All will require votes of approval from the Commission.

Item# 15 – Racing Division Annual Report – Dr. Lightbown confirmed the Racing Division’s Annual Report will be ready for the March 31<sup>st</sup> meeting.

Item #16 – Racing Division Opening Day – Dr. Lightbown confirmed discussion of the Opening Day for racing in the Commonwealth will be April 11<sup>th</sup> and will provide a brief presentation on at the March 31<sup>st</sup> public meeting. She will provide more details as the meeting date draws closer.

Item #17 – LEAF Business Technical Assistance Grantee Update – Ms. Howard confirmed that LEAF will provide an update and presentation for the Commissioners at the March 31<sup>st</sup> meeting.

Add-on Item – Chair Judd Stein asked Executive Director Wells, Ms. Howard and CFAO Lennon to provide a brief update on Pace Setters at the March 31<sup>st</sup> meeting.

Item #18 – Commissioner Cameron Farewell – Chair Judd-Stein confirmed Commissioner Cameron’s send-off would be an agenda item at the March 31<sup>st</sup> meeting.

Add-on Item – Executive Session – General Counsel Grossman requested an Executive Session for the approval of minutes taken during previous Executive Sessions at the Commission on March 31<sup>st</sup> prior to the departure of Commissioner Cameron.

Add-on Item – Executive Session– Chair Judd Stein asked if Counsel Grossman could also provide a litigation update to the Commissioners during the Executive Session on March 31<sup>st</sup> for the benefit of the Commission and incoming Commissioner Skinner.

#### Additional Items Under Review:

Item #19 – Covid Impacts Report– Ms. Howard confirmed on behalf of Director Vander Linden and his team confirmed that this item is ready for presentation. Commissioner O’Brien recommended revisiting this item at the next agenda setting meeting, given the existing length of the March 31<sup>st</sup> meeting.

Item #20 – ILEV Review Process – Commissioners agreed that this item should remain Under Review for the benefit of newly appointed Commissioners for the time being.

Item # 21 – Community Mitigation Fund – Mr. Delaney requested a standing agenda item to bring forward future Community Mitigation Fund applications for a vote.

Item #22 – Review of Casino Non-Compliance Penalties – After some discussion about timing, IEB Director Lillios agreed with Chair Judd-Stein that this item would be best presented on the April 28<sup>th</sup> meeting for the benefit of newer Commissioners.

Item # 23 – MGM Community Research Project – Executive Director Wells requested on behalf of Director Vander Linden and the division of Responsible Gaming that the presentation on the report authored by Rodolfo Vega, titled: “MGM Impact on Springfield: Community Based Participatory Research” be added to Under Review for the time being.

Add-on item – GameSense Quarterly Report – Ms. Howard requested that presentation of the most recent GameSense quarterly report be added to the Under Review section, and expect to present the report sometime in April.

#### Other Business:

A member of the public, Mr. Ken Krause asked for clarification regarding the Item #1 for Encore’s meeting on March 10. Mr. Krause questioned if there was a chance for the public to comment on what Wynn Resorts would be submitting or presenting. Mr. Delaney clarified to Mr. Krause that while representatives from Wynn Resorts were on the agenda, they would not be giving a presentation but would be present to answer questions from the Commissioners. Chair Judd-Stein provided a supplemental response to Mr. Krause and explained that the meeting on March 10<sup>th</sup> would be to meet as a Commission and discuss and ask questions of the Licensee Wynn Resorts pertaining to all matters and information that they have heard and that have been

presented on, to date. She did confirm that they may stop the meeting if Commissioners feel that they do not have the necessary amounts of information to make their decision.

Mr. Krause then inquired if he would be allowed to ask questions or participate in tomorrow's meeting. Chair Judd-Stein explained to Mr. Krause the difference between a public meeting and a public hearing, in that a public hearing allows for the Commission to seek and receive public input. A public meeting, alternatively, does not provide the format for public participation and public input. The Chair went on to state that while the Commission does try to include members of the public, the meeting on the 10th would be treated as a public meeting that did not offer members of the public to provide large levels of input. Chair Judd Stein thanked Mr. Krause for his call, and Mr. Krause thanked the Commission.

*Having no further business, Commissioner Hill made a motion 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 & Agenda dated March 7, 2022
2. Agenda Setting Meeting Minutes – November 10, 2022
3. Agenda Setting Meeting Minutes – February 16, 2022