



Massachusetts Gaming Commission
Agenda Setting
Meeting Minutes

Date/Time: April 20, 2022 – 10:00 a.m. EST

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID: 111 379 5096

Call to Order

Chair Judd-Stein called to order Agenda Setting meeting #121 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 Eileen O’Brien
Commissioner Bradford R. Hill
Commissioner Nakisha Skinner*

Approval of Prior Agenda Setting Meeting Minutes

- a. October 13, 2021
- b. October 27, 2021
- c. March 23, 2022
- d. April 06, 2022

Commissioner O’Brien moved to approve the minutes from: October 13, 2021, and October 27, 2021, subject to necessary edits for typographical errors or non-material matters. Commissioner Hill seconded.

Roll Call Vote:

<i>Commissioner O’Brien</i>	<i>Aye.</i>
<i>Commissioner Hill</i>	<i>Aye.</i>
<i>Commissioner Skinner</i>	<i>Abstain.</i>
<i>Chair Judd-Stein</i>	<i>Aye.</i>

Motion Passed Unanimously 4-0.

Commissioner O'Brien then moved to approve the minutes from: March 23, 2022, and April 06, 2022, subject to necessary edits for typographical errors or non-material matters. Commissioner Skinner seconded.

Roll Call Vote:

Commissioner O'Brien Aye.

Commissioner Hill Aye.

Commissioner Skinner 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 meetings scheduled for April 25, 2022 and April 28, 2022 and subsequent meetings described in the attached agenda planning notice, as follows:

Item #1 – Suitability Review – Commissioner O'Brien confirmed that this meeting would be discussing process and not discussion of the suitability hearings themselves to begin at 1:00 PM on April 25th, 2022.

Items For Public Meeting – April 28, 2022

Item #2 – Administrative Update

Executive Director Wells confirmed the Administrative Update would include an update on gaming establishment operations from Assistant Director Band.

Item #3 – Regulations – General Counsel Grossman and Associate Counsel Young confirmed that the Legal Division will be presenting three regulations to the Commission at the April 28 public meeting. Associate Counsel Torrisi will be seeking a vote to begin the promulgation process for 205 CMR 133. Associate Counsel Torrisi will also be seeking a final vote of approval for two regulations: 205 CMR 138.26(4) Key Maintenance/ Inventory, and 205 CMR 147.00 Standards of Rules of Table Games. A public hearing on these two regulations will occur in advance of the public meeting at 9:30 am.

Item #4 – Legislative Updates – This item will not be on the agenda for April 28th.

Item #5 – Independent Monitor's Report – Commissioner O'Brien anticipates that the report will be ready for presentation and inclusion on the April 28th agenda and expects that Monitor's report will be provided to the Commissioners in advance of the public meeting.

Item # 6 – Public Records Requests- Policy and Technology– Executive Director Wells confirmed that Associate Counsel Torrisi has been finalizing a flow chart detailing the policy that will be ready for the Commissioners before the next public meeting. Chair Judd-Stein and Ms. Wells discussed whether the matter should be discussed at the April 28 meeting, or if it was best to finalize the document and arrange for Commissioners to be briefed on the technological

components in two-by-two settings before the presentation. Commissioners agreed they would keep the matter on for the 28th but would have a second discussion at a later public meeting if necessary.

Item #7 – Community Mitigation Fund – Transportation Planning Applications – Ms. Wallace confirmed the Division will present six transportation planning applications received to the Commission and seek votes for each one. Materials will be delivered to the Commissioners in advance of the meeting, once finalized.

Item #8 – Review of Casino Non-Compliance Penalties – Director Lillios confirmed that the item would be ready for presentation on April 28th and finalized memo with policy process would be re-circulated to the Commissioners in advance of the meeting.

Item #9– Racing- Capital Improvement Project at PPC– Dr. Lightbown confirmed this item would be ready for the April 28th meeting, and that Steve O’Toole will provide supplemental presentation on behalf of Plainridge Racecourse.

Item #10 – Quarterly Budget Discussion – Chief Financial Accounting Officer Lennon will provide a presentation on the Quarterly Budget, with opportunity for the Commissioners to ask questions at the next public meeting. A supplemental brief will be provided to Commissioners in advance.

Item #11 – Responsible Gaming – GPAC Agenda Contracts – Director Vander Linden requested an agenda item for presentation of the fiscal year 2023 research agenda proposal with the advice of the Gaming Policy Advisory Committee (“GPAC”). Director Vander Linden is seeking a vote from the Commission on the research agenda, so the Division and GPAC can proceed and make necessary changes.

Add-on Item – Gaming Operations – Poker Report – Assistant Director Band confirmed that the poker report requested by Commissioner O’Brien was ready for presentation at the April 28th meeting. The report will be circulated to the Commissioners in advance of the presentation.

Chair Judd Stein then returned to the administrative update portion of the April 28th meeting before continuing.

Add-on Item – Responsible Gaming – Play My Way – Director Vander Linden asked to provide a brief status update of the Play My Way program at MGM Springfield during the Administrative Update at the April 28th meeting.

Add-on Item – Racing– Express Bet and First Bet Usage at Suffolk Downs – Dr. Lightbown requested an agenda item to update the transition and branding change from Express Bet to First bet and is seeking a formal vote for the Commission to approve the transition while both platforms are functional while the work to phase out Express Bet.

Items For Public Meeting – May 12, 2022

Add-on Item Legislative Update – Commissioner Hill and Ms. Howard confirmed that a legislative update would go forward for the May 12 public meeting and provide updates on the existing bills in the legislature.

Item # 12 – MGM Community Research Project –Director Vander Linden asked that presentation of the report, authored by Dr. Rodolfo Vega, titled: “MGM Impact on Springfield: Community Based Participatory Research” go forward at the May 12 meeting.

Item #13 – Racing– Review of New Racing License Applications – General Counsel Grossman confirmed that May 12 would be a preferred date for discussion of the new racing application, and that he anticipates having a draft to disseminate to the Commissioners in advance of the meeting.

Item # 14 – Responsible Gaming – GameSense Quarterly Report – Director Vander Linden requested an agenda item for presentation of the quarterly update by the GameSense agents.

Item # 15 – Community Affairs Division – Licensee Quarterly Reports – The Division requested an agenda item for presentation of quarterly reports from the three gaming establishments, PPC and MGM Springfield for May 12th, and EBH at a later public meeting.

Item #16 – Community Mitigation Fund – Transportation Construction Applications – Ms. Wallace confirmed that the Community Affairs Division would bring seven applications for review and approval by the Commission at the May 12th meeting.

Item # 17 – Regulation Review Process – Executive Director Wells confirmed that this item would be included on the May 12th agenda.

Add-on Item – Travel Policy – Executive Director Wells suggested adding in discussion of the MGC Travel policy, so that the Commissioners can review the policy, ask questions and determine if updates are necessary.

Add-on Item – Commissioner Updates – Annual Election of Secretary and Treasurer – Chair Judd-Stein thanked Commissioner O'Brien for her work as the current secretary of the Commission. Commissioner Hill expressed interest in being elected as Secretary of the Commission. Both Commissioner Skinner and Commissioner O'Brien expressed their interest in the position of Treasurer, and prior discussions with individual members of the Commission to remain in compliance with open meeting law. After a lengthy discussion, the Commissioners agreed that May 12th agenda should include a vote on officers as well as a process discussion on how the Commission wants to approach the nomination and appointment of officers moving forward.

Items For Public Meeting – May 25, 2022

Item # 18 – Community Affairs Division – Licensee Quarterly Reports – Ms. Wallace requested an agenda item for presentation of the quarterly report from licensee, EBH.

Item #19 – Community Mitigation Fund – Community Planning Applications – Ms. Wallace confirmed that the Community Affairs Division would likely have Community Planning applications for review and approval by the Commission but will confirm at the next agenda planning meeting.

Item # 20 – Responsible Gaming –Gambling Advertising White Paper– Director Vander Linden confirmed that May 25th would be optimal for presentation of the finalized Gambling Advertising White Paper.

Transcriber's note: Before proceeding to the Under Review section, Chair Judd-Stein returned to the agenda for the May 12 Meeting for discussion of one agenda item, Election of Secretary and Treasurer, it has been added above as the final item of the May 12th meeting.

Items Under Review for Future Meetings:

Item #21– ILEV Review Process – Commissioner Hill, Chief Delaney and General Counsel Grossman have met to discuss the ILEV review process. At this point in the review, they are

seeking input from the Commission about what policies should underlie the whole process and then utilize that guidance to draft one or more regulation. Counsel Grossman anticipates a discussion going forward at a future meeting, and then the promulgation process beginning sometime thereafter.

Item #22– Community Mitigation Fund – Standing Item – Ms. Wallace confirmed that the Community Affairs Division would have applications from the Public Safety and Specific Impact sections of the Mitigation Fund for review later in June.

Commissioner Updates:

Other Business:

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

Roll Call Vote:

Commissioner Hill: Aye.

Commissioner Skinner Aye.

Commissioner O’Brien: 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 April 15, 2022
2. Agenda Setting Meeting Minutes – October 13, 2022
3. Agenda Setting Meeting Minutes – October 27, 2022
4. Agenda Setting Meeting Minutes – March 23, 2022
5. Agenda Setting Meeting Minutes – April 6, 2022