



Massachusetts Gaming Commission

Meeting Minutes

Date/Time: May 12, 2022, 10:00 a.m.
Place: Massachusetts Gaming Commission

VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 112 611 8346

The Commission conducted this public meeting remotely utilizing collaboration technology. Use of this technology was intended to ensure an adequate, alternative means of public access to the Commission's deliberations for any interested member of the public.

Commissioners Present:

Chair Cathy Judd-Stein
Commissioner Eileen O'Brien
Commissioner Bradford Hill
Commissioner Nakisha Skinner

1. [Call to Order](#) (00:39)

Chair Judd-Stein called to order the 379th Public Meeting of the Massachusetts Gaming Commission. Roll call attendance was conducted, and all four commissioners were present for the meeting.

2. [Approval of Meeting Minutes](#) (1:06)

a. February 28, 2022

Commissioner O'Brien stated that there was one set of meeting minutes for review, from February 28, 2022. She noted that this meeting was held as a dual public meeting and public hearing on the proposed Wynn development project on East Broadway.

Commissioner O'Brien moved that the Commission approve the minutes from February 28, 2022, subject to any necessary changes for typographical changes or other non-material matters. The motion was seconded by Commissioner Hill.

Roll call vote:

Commissioner O'Brien: *Aye.*

Commissioner Hill: Aye.

Commissioner Skinner: Abstain.

Chair Judd-Stein: Aye.

The motion passed unanimously, 3-0 with one abstention.

3. [Administrative Update](#) (2:05)

Chair Judd Stein introduced Karen Wells, Executive Director. Prior to addressing the items on the meeting agenda, Executive Director Wells updated the Commission on the employee pay evaluation.

Last year, the Commission completed the Equal Pay Act Analysis which indicated the Commission was in compliance with the law regarding equal pay. Executive Director Wells noted that the Commission was completing a subsequent pay fairness analysis and incorporating the recommended paygrades into the analysis. Executive Director Wells further noted that the Commission looked to implement recommended salary modifications before the end of month for paygrades one through six, and that lower paid employees were the priority. She further noted that the Commission was looking at implementing appropriate retroactive pay or bonus pay mirroring, similar to the executive branch. She noted that for top-level management, review will occur without staff at the same level, to prevent conflicts of interest. Lastly, Executive Director Wells stated that the next pay raise cycle would occur in the fall during the performance review cycle. The Commissioners had no further questions and agreed to move forward with the process Executive Director Wells described.

a. [On-site Casino Updates](#) (9:42)

Executive Director Wells introduced Bruce Band, Assistant Director of Investigations & Enforcement Bureau and Gaming Agents Division Chief. Assistant Director Band reported that MGM Springfield (“MGM”) will be opening Costa Restaurant and Macho Taco within a few weeks. He further reports Encore Boston Harbor (“EBH”) is opening a beer garden owned by Night Shift Brewing on Saturdays and Sundays, located on the lawn.

b. [MGC Office Lease Update](#) (10:52)

Executive Director Wells reported that Chief Finance and Accounting Officer (“CFAO”) Derek Lennon, and the Executive Assistant to the Executive Director and Special Projects Manager Maryann Dooley were continuing to work on the office lease project. Executive Director Wells commented that more discussion on the topic was expected to occur in the proposed executive session planned for the end of today’s public meeting.

4. [Research and Responsible Gaming](#) (12:11)

a. FY23 Research Agenda Proposal

Director of Research and Responsible Gaming, Mark Vander Linden, presented the FY23 Research Agenda pursuant to G.L. c. 23K, § 71. Director Vander Linden explained that the purpose of the research agenda was to examine social and economic effects of expanded gambling and to obtain scientific research regarding gambling.

Director Vander Linden presented the proposed research agenda, including topics on economic impact, social impact, community engaged research, public safety, responsible gaming program evaluation, the Massachusetts data impact cohort, and data sharing. Director Vander Linden explained that the proposed research agenda incorporated advice from the Gaming Policy Advisory Committee (GPAC). The proposed FY23 Research Agenda was included in the Commissioner's Packet.

Director Vander Linden reported that the estimated cost for the FY23 research agenda was \$1.43 million, which was roughly half of the FY22 budget. He noted that the major difference was that FY22 had the Follow-up General Population Survey, which is completed, and returned to analysis and reporting. Director Vander Linden also stated that GPAC recommended the Commission remove the study regarding gambling advertising research in order to fund the workforce study, but that alternatively managed to keep both studies in the proposed Research Agenda.

Chair Judd-Stein asked how the budget for research was set. Director Vander Linden stated that the Public Health Trust Fund receives two sources of revenue: gaming revenue from Category 1 casinos; and assessment spread to all three licensees. He added further detail that the Secretary of Health and Human Services was the trustee of the Fund, and that the fund was split by the Commonwealth to operate the research agenda and for responsible gaming initiatives.

Chair Judd-Stein noted that an Ad Hoc report was not part of the proposed framework. Director Vander Linden explained that it was not included this year, due to budgetary restraints. Chair Judd-Stein responded that an Ad Hoc report on sports betting was expected by GPAC in June, and that she appreciated the flexibility of having an Ad Hoc report budgeted. Director Vander Linden reported that the Sports Betting Ad Hoc Report was on track to be completed for the deadline by the end of June.

Commissioner Hill further noted that he was concerned that GPAC recommended removal of the gambling advertisement study, as he would like to view research about how advertising affects gambling amongst young people. Chair Judd-Stein asked if the advertisement study would cover both casino play and sports betting. Director Vander Linden responded that the study encompasses advertising in general, including both casino betting and sports betting.

Commissioner O'Brien agreed with Commissioner Hill regarding evaluating the impact of gambling advertisement prior to sports betting being implemented in the Commonwealth and expressed interest in increasing spending towards that portion of the study and within the research agenda.

Commissioner Skinner sought clarification regarding the difference between the casino workforce study and the casino jobs and employment study. Director Vander Linden explained that the employment study focused on employee motivation for working at the casino, while the workforce study included research into salaries, benefits, and retention. Commissioner Skinner further asked if there was a prioritization amongst the research projects. Director Vander Linden

responded that projects spanning multiple fiscal years were priorities, such as the General Population Survey Follow-up, as resources had already been invested.

Commissioner Skinner sought clarification as to whether the proposed research agenda guaranteed the projects would be completed within FY23. Director Vander Linden noted that some projects by design might continue into FY24 and recognized the possibility of unexpected delays. Chair Judd-Stein asked if the research team was committed to the research as it was framed. Director Vander Linden clarified that the proposed agenda was an outline, but that it could be sufficiently narrowed down to the specifics going forward.

Chair Judd-Stein inquired about limitations to the scope of public safety research and crime levels and expressed interest in learning more about crimes such as human trafficking and money laundering. Director Vander Linden noted that constraints within G.L. c. 23K, § 71 limit public safety research to the general sense in regard to casinos but did clarify that human trafficking was included in the research agenda.

Commissioner O'Brien shared her desire to prioritize prior research that Consultant and Crime Analyst Christopher Bruce had compiled. She noted that local police chiefs pointed out issues and patterns that may be addressed with prior data. Commissioner O'Brien further noted that the Commission should reevaluate their review and analysis of data to ensure nothing is missed. Commissioner Hill moved that the Commission adopt the annual research agenda for fiscal year 2023 in accordance with G.L. c. 23K § 71 as detailed in the memorandum in the Commissioner's Packet. Commissioner O'Brien amended the motion to include the language "and as discussed here today." The motion was seconded by Commissioner Skinner.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously.

b. [GameSense Quarterly Report](#) (1:05:31)

Director Vander Linden introduced Long Banh, Program Manager. Mr. Banh introduced GameSense Supervisor at the Massachusetts Council on Gaming and Health (MACGH) Ray Fluette. Mr. Fluette then introduced his team: GameSense Advisor at EBH, Eduardo Romero; Director of Marketing & Communication Phil Sherwood; Senior GameSense Advisor at PPC, Ken Averill; VSE Recovery & Outreach Liaison, Jodie Nealley; and Director of Programs and Services, Odessa Dwarika.

The GameSense team presented their quarterly report with topics including EBH numbers highlights, casino staff excellence rewards, augmented reality, parimutuel collaboration, preparation for sports wagering, designated agent training, outreach with community justice support centers, and the National Council on Problem Gambling Conference. The GameSense Team's presentation was included in the Commissioners' Packet. The Commissioners had no further questions, and thanked presenters for their report.

4. [Community Affairs Division](#) (1:56:13)

Chair Judd Stein introduced Joe Delaney, Chief of the Community Affairs Division. Chief Delaney noted that from the prior meeting, the Commission deferred an application for the Medford Wellington Rail Trail Study. The Commission received late information at the last meeting, and the revised memorandum was included in the current Commissioner's Packet.

The request was for \$70,000 to fund a study examining the feasibility of utilizing an inactive freight rail right of way to construct a multi-use trail that would help connect the Wellington and Glenwood neighborhoods. Chief Delaney recommended full funding of this grant, but also recommended to split the funding into two phases. Chief Delaney explained that first payment of \$25,000 would be to fund the investigation of ownership and inquire if the railway owner would convert the easement use to a multi-use trail. He further continued that the second phase would be a grant of \$45,000 to construct the multi-use path.

Chair Judd-Stein asked if Chief Delaney was comfortable that \$25,000 is the right figure. Chief Delaney responded that the budget had been broken down and \$25,000 was rounded up from the \$23,000 estimate provided.

Commissioner O'Brien then moved that the Commission approve the City of Medford's request for funding from the community mitigation fund for a total amount of \$70,000 for the purposes of studying the feasibility and then designing and constructing a multi-use trail as described in the memorandum in the Commissioner's Packet and as discussed in the last meeting and today, provided, however, that the City shall be initially provided with \$25,000 to conduct the feasibility study and the remaining \$45,000 will be released to the City upon providing proof satisfactory to the Commission in the form of the community mitigation fund team that the project is feasible to move forward, and further that the Commission staff be authorized to execute a grant instrument commemorating this award in accordance with 205 CMR 153.04. The motion was seconded by Commissioner Hill.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously.

Commissioner O'Brien further noted that she would also ask that the team present the finding of satisfactory proof of feasibility to the Commission prior to the disbursement of additional funds.

a. Community Mitigation Fund Transportation Construction Applications

Chief Delaney commented to Commissioners that many of the grants and projects being proposed are currently being designed. He noted that as the grant applications were preliminary, they may have rough cost estimates. Chief Delaney explained that the maximum grant value is one-third of the project's total value, up to a maximum grant of \$1.5 million. Chief Delaney

noted that due to the rough preliminary estimates in the proposals, any grant might have to be reduced below one-third of the project cost, if adjusted costs fall below the proposal amount.

The first proposed project was a request from the Town of Agawam for \$833,300 for the reconstruction of the intersection of Suffield Street, Cooper Street, and Rowley Street. Chief Delaney remarked that a fair amount of traffic to the casino used this intersection, and the proposal would reduce traffic congestion. He further noted that MGM Springfield and the Massachusetts Department of Transportation (MassDOT) support this project. Chief Delaney recommended full funding for this project. Chair Judd-Stein noted that this route was along where the Big E is held and suggested the possibility of MGM leveraging a partnership or synergy there.

The second proposed project was a request from the City of Everett for \$1.335 million for the creation of pedestrian and bike paths for better access from the Mystic River Walk to Wellington station. Chief Delaney recommended full funding of this project.

The third proposed project was a request from the City of Medford for \$136,000 for safety improvements at Haines Square. Chief Delaney noted that this location was 3.7 miles northwest of Encore Boston Harbor and was studied as part of the original environmental impact survey for Encore. Chief Delaney remarked that the City of Medford reported an additional five second delay in traffic since the construction of Encore Boston Harbor. Chief Delaney noted that traffic in the area was pre-existing, and that an increase in traffic does not cause an increase in safety issues. While Encore Boston Harbor supported the grant, Chief Delaney stated that there was no nexus found between the City's concerns and the casino by the review team. He ultimately recommended the request be denied.

The fourth proposed project was a request from the City of Medford for \$192,500 and a waiver of the one-third of total cost maximum grant for the installation of BlueBikes stations. Chief Delaney noted that while the requested amount was the total cost for the installation of the four proposed BlueBikes stations, the City of Medford had evaluated the installation of thirteen to fifteen total stations. Chief Delaney recommended that due to the total expected cost of the project, the grant should be approved and the restriction of one-third of total project cost maximum should be waived.

Commissioner O'Brien inquired as to the procedure regarding the waiver of the restriction, and if a vote was needed on the waiver. She further noted that in looking at the total amount of expected BlueBikes stations, the City of Medford would likely not be in violation of the limit. Chair Judd-Stein clarified to her fellow Commissioners that that the waiver vote would be separate from the vote taken to approve the request from the City of Medford.

The fifth project was a request from the City of Springfield for \$766,700 for the resurfacing of East Columbus Avenue and Hall of Fame Avenue which run on either side of I-91. Chief Delaney noted that approximately 70% or more of casino traffic enters the gaming establishment through these roads. Chief Delaney recommended full funding for this project, and further noted that MGM and MassDOT were in favor of approving this grant.

The sixth project was a request from the City of Springfield for \$1.5 million to maintain the roadway, landscape, streetscape, and underground infrastructure of the Court Square area. He

added that this location was across the street from MGM's Elm Street housing project. Chief Delaney recommended full funding for this application.

Chair Judd-Stein sought clarification regarding MassDOT's memo, as it said \$4 million in one section and \$5 million elsewhere. Chief Delaney remarked that the \$4 million value is on the capital improvement plan but was not the final dollar value.

Commissioner Hill inquired whether the Commonwealth had put money into the Elm Street housing project. Chief Delaney replied that the housing project was funded by MGM, historic tax credits, Mass Housing, Mass Mutual, and funds from the City of Springfield for remediation of land.

The seventh project was a request from West Springfield for \$1.1 million for street transportation improvements on Elm Street. Chief Delaney noted that 5% of casino visitors use Route 20 along Elm Street to access the gaming establishment and recommended full funding for this project.

Commissioner Hill moved that the Commission deny the City of Medford's application for funding from the community mitigation fund for safety improvements in Haines Square as there was no clear nexus between the requested funding and any impacts created by the operation of the gaming establishment. The motion was seconded by Commissioner O'Brien.

Roll call vote:

Commissioner O'Brien: *Aye.*

Commissioner Hill: *Aye.*

Commissioner Skinner: *Aye.*

Chair Judd-Stein: *Aye.*

The motion passed unanimously.

Commissioner Hill moved that a waiver be granted for the full cost of the City of Medford's request for their BlueBikes for the installation for the reasons described in the submitted application, materials included in the Commissioner's Packet and the reasons described therein and discussed today. He further moved that the Commission approve the City of Medford's funding application for the community mitigation fund for 33% of the total project cost excluding the design cost up to \$192,500 with the final figure being determined by the Chief of Community Affairs upon receipt of a satisfactory documentation for the purpose described in the submitted application and materials included in the Commissioner's Packet and for the reasons described therein and discussed here today and further that the Commission staff be authorized to execute a grant instrument commemorating this award in accordance with 205 CMR 153.04.

Commissioner O'Brien suggested an amendment to the motion made by Commissioner Hill to change "waiver of the payment of the full cost" to "waiver of the 33% cap of the total amount". Commissioner Hill accepted the amendment. Commissioner Skinner seconded the amended motion.

Roll call vote:

Commissioner O'Brien: *Aye.*

Commissioner Hill: *Aye.*

Commissioner Skinner: *Aye.*

Chair Judd-Stein: *Aye.*

The motion passed unanimously.

Commissioner Skinner moved that the Commission approve each of the municipalities' application for funding from the community mitigation fund for 33% of the total project costs, excluding any design costs up to a maximum amount as discussed here today, with the final figure to be determined by the Chief of Community Affairs upon receipt of satisfactory documentation for the purposes described in the submitted application and materials included in the Commissioner's Packet and for reasons described therein and discussed here today and further that Commission staff be authorized to execute a grant instrument commemorating this award in accordance with 205 CMR 153.04. The motion was seconded by Commissioner Hill.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously.

6. [Legal Division](#) (3:33:08)

a. High Card Flush Pay Table Rules Revision

General Counsel Todd Grossman introduced Associate General Counsel Carrie Torrissi. Associate General Counsel Torrissi presented a proposed change to the approved table game rules for the game of high card flush. Associate General Counsel Torrissi noted that the table game rules are not promulgated as regulations.

Associate General Counsel Torrissi explained that 205 CMR 147 governs how table game rules are authorized for use. She further noted that once this revision was approved by the Commission and the rules are posted on the website, they go into effect immediately. Associate General Counsel Torrissi noted that the changes in the pay table were located at page 52 in the Commissioner's Packet. She explained that no licensees were currently offering this game at properties, but the game had been previously authorized.

Commissioner O'Brien sought clarification regarding the change from Regulatory Compliance Manager Carpenter. Mr. Carpenter added that a licensee had brought the issue to the Commission, and it was simply a matter of shifting a numeric value on the table.

Commissioner O'Brien moved that the Commission approve and authorize for use the version of the table game rules for high card flush as included in the Commissioner's Packet. The motion was seconded by Commissioner Skinner.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously.

b. [Public Records Request Policy, Procedure and Technology](#) (3:38:10)

Associate General Counsel Torrisi explained that there were three documents in the Commissioner's Packet detailing: the Commission's public records request policy; the legal department's procedures; and a flow chart regarding process. She further reported that a portion of her presentation included a technology component, but that Chief Information Officer, Jagroop-Gomes was not available for today's public meeting. Associate General Counsel Torrisi presented the redlined edits of the Public Records Request Policy and an accompanying flow chart.

Associate General Counsel Torrisi encouraged staff to have requests for records submitted to the new portal on the Commission's website, and the Commission's public records email address, rather than forwarding requests to the legal division. She then outlined new provisions in the policy for when requested documents were not easily identifiable and how the departments could work with IT to find responsive documents. She further outlined that the Commission could accommodate requests without assessing a fee unless the records request takes longer than 100 hours to fill.

Chair Judd-Stein sought clarification regarding what can be charged for during an assessment of fees. Associate General Counsel Torrisi explained that the Commission can only charge for time spent searching and segregating documents where it is required by law. She further noted that a fee cannot be assessed for the first four hours, and that a response to the request clarifying assessment fees must be sent to a requestor within ten days. After some discussion, Commissioners all agreed that fees should be assessed prior to the 100 hours noted in the drafted policy.

Commissioner Hill suggested a revision to lower the hours from 100 to 40. Chair Judd-Stein recommended the policy reference language in the statute. Commissioner O'Brien suggested the broader language of "we reserve a right to request a fee if the request is overly burdensome" be included within the Commission's policy. Commissioners agreed.

Commissioner Skinner inquired as to whether minor public records requests could be fulfilled by staff. Associate General Counsel Torrisi stated that all requests should be forwarded to the legal division, as the division was required to submit information on records requests at the end of the year, and the statistics need to be tracked. She further noted that every response to a public records request is required to include language explaining that a requestor has the right to appeal the Commission's response, and she does not expect staff members to know that language.

Commissioner Judd-Stein commented that while Associate General Counsel Torrisi held the official role as the Commission's Record Access Officer, those with responsive records should assist the legal division in the production of records in order to meet the ten-business day deadline regarding assessment of fees.

Commissioner Skinner commented that staff may not understand the nature of requests for documents being public records requests without context from other departments. Executive Director Wells stated that some documents exempt from public records requests may be easily identifiable, but that the legal division would still need to perform an evaluation as they must notify the requestor of all responsive documents being withheld from the production due to

exemptions. Associate General Counsel Torrissi clarified that staff should not send the legal division their personal notes, as they are no longer personal once produced to legal or shared with other individuals. Commissioners thanked Attorney Torrissi for her presentation.

c. [Broadway Development Decision Update](#) (4:23:12)

Chair Judd-Stein introduced General Counsel Todd Grossman. General Counsel Grossman presented a draft memorandum relative to the Commission's decision from the March 10, 2022, public meeting regarding the proposed Broadway Development Project across the street from Encore Boston Harbor. He noted that the decision was commemorated in this format with the Commission's conditions on the gaming license included at the end of the memorandum.

General Counsel Grossman explained that as discussed in the March 10, 2022, and March 14, 2022, meetings, a four-part test was established as to whether a property was part of the gaming establishment. In the March 10 and March 14 meetings, the Commission found that the proposed structure could be considered in the bounds of the gaming establishment, but the Commission could ensure oversight of the gaming establishment by imposing conditions on the gaming licensee rather than including the project in the boundary of the existing gaming establishment. The Commission approved the seven conditions during the March 14, 2022, public meeting.

Chair Judd-Stein sought clarification regarding the 90-day deadline on the proposal for the pedestrian bridge, and whether it began tolling at this meeting or the prior March 14, 2022, public meeting. Commissioner O'Brien noted that it was 90 days from the date of the Commission's vote. General Counsel Grossman noted he would modify the opening paragraph of the memorandum to include the second meeting date on March 14, 2022.

Commissioner Skinner sought clarification regarding the purpose of the memorandum, and if it would be issued to the licensee. Commissioner O'Brien stated that the memorandum was to memorialize the rationale underlying the vote on the issue and providing legal analysis for the conditions imposed on the licensee. General Counsel Grossman confirmed that once the Commissioners were comfortable with the memorandum, it would be issued to the licensee as a record of proceedings and conditions. The Commissioners agreed that the memorandum accurately reflects the decision and rationale held by the Commission.

7. [Regulation Review Update](#) (4:45:46)

Executive Director Wells presented the update on the Commission's Regulatory Review process. The review looked at five criteria for regulation review: ensuring regulations are clearly written and understandable; eliminating duplicative or contradictory requirements; eliminating unnecessary and minimizing overly burdensome requirements; ensuring reporting requirements were necessary and providing information used by regulatory agency; and eliminating barriers to equity and inclusion.

Executive Director Wells introduced Crystal Beauchemin, Chief Administrative Officer to the Chair, and Special Projects Manager. Ms. Beauchemin noted that twelve to thirteen regulations had been received from the online submission form. She further noted that eleven of the submissions required review, and none of the regulations had no change necessary. Ms.

Beauchemin noted that 205 CMR 133 and 205 CMR 116.03 were in progress, and initial reviews of 205 CMR 138 and 205 CMR 147 were upcoming. Associate General Counsel Torrisi presented the regulation promulgation timeline to Commissioners including that the process from authorization to begin the promulgation process to a regulation's finalization and publication takes approximately 60 to 90 days.

Commissioner Skinner inquired why there was a public hearing rather than a public comment period. General Counsel Grossman explained that regulations require public hearings under G.L. c. 30A, §§ 2 and 5. Chair Judd-Stein noted her appreciation that the Commission's policy of transparency lead to public comments given at the public hearings.

8. [Commissioner Updates](#) (5:02:15)

a. Procedural Discussion Regarding Statutory Positions and Elections: Secretary and Treasurer

Chair Judd-Stein explained that pursuant to G.L. c. 23K, §3, the positions of Secretary and Treasurer of the Commission must be elected. Commissioner O'Brien shared her desire to schedule a recurring time each year to vote upon the positions to ensure the statutory requirements of the position were met. She further noted that the election time should not coincide with scheduled end of Commissioner's terms. Commissioner O'Brien then commented that while the Internal Audit and Compliance Group are not statutory positions, they often have conflicts of interest with the Treasurer position, and that the compliance should be more narrowly drawn within the compliance committee. Commissioner O'Brien expressed her sentiment that the rotation of roles by Commissioners was likely the most equitable practice.

Chair Judd-Stein noted that the rotation of roles would benefit the Commission as it would highlight each Commissioner's unique set of skills, in addition to providing checks and balance. Commissioner Hill supported rotating the positions, as all positions were voted on, and not based in a specialty or specifically held background. He stated he would like to give everyone an opportunity in each role. Commissioner Skinner agreed with the rotation in roles but shared her sentiment in wanting the rotation of roles being separate from the concept of seniority, as the Commissioners all possess unique experiences and backgrounds.

Commissioner O'Brien inquired how to best implement the cycle to prevent conflicts of interest with the Compliance Committee and the Treasurer. Chair Judd-Stein commented on the possibility of a succession plan, which was not based in seniority, and is a common policy in other organizations. Chair Judd-Stein further elaborated that if the Treasurer would be appointed to the Compliance Committee, then a new Treasurer could be elected at that time.

After extensive discussion, the Commissioners reached a consensus that the positions could be rotational. Commissioner Skinner requested more clarity on the rotational process. Commissioner O'Brien noted that an annual election will signify rotation from one Commissioner to the next. Commissioner Skinner raised the issue of whether a Commissioner could be forced to perform a role if they do not wish to serve in that capacity. Commissioner Hill noted that Commissioners should be able to choose not to accept a position.

Commissioner Hill expressed his interest in the Secretary position, currently held by acting Secretary, Commissioner O'Brien. Commissioner O'Brien moved that the Commission elect Commissioner Hill to assume the responsibilities of Commission Secretary. The motion was seconded by Commissioner Skinner.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously.

Chair Judd-Stein noted that Commissioner O'Brien had showed interest in the treasurer position, but recognized Commissioner O'Brien's previously raised concerns regarding conflicts of interest between her role with the Compliance Committee and the Treasurer role. Chair Judd-Stein noted that Commissioner Skinner also expressed an interest in the Treasurer role. Commissioner O'Brien stated that she would prefer to focus on establishing the Compliance Committee and would like to move forward seeing Commissioner Skinner serving a term as Treasurer.

Commissioner Hill moved that the Commission elect Commissioner Skinner to serve as Treasurer of the Commission in accordance with G.L. c. 23K, §3(f). The motion was seconded by Commissioner O'Brien.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Abstain.

Chair Judd-Stein: Aye.

The motion passed unanimously, 3-0 with one abstention.

As a point of order, Commissioner O'Brien requested that the elections should be set at a regular time. Chair Judd-Stein agreed and clarified that that the rotational policy was tabled for discussion and will not be implemented by today's vote.

b. [Legislative Update - Review of Proposed Letter Regarding Chapter 22 of the Acts of 2022 \(Remote Public Meetings\)](#) (5:57:53)

Chair Judd-Stein introduced Tom Mills, Communications Division Chief. Chief Mills stated that the provision in the Governor's March 2020 Executive Order allowing remote public meetings was set to expire on July 15, 2022. Mr. Mills presented a letter authored by the Commission to be sent to legislative leadership asking that the changes from this provision be made permanent or extended. The letter was included in the Commissioner's Packet.

Chair Judd-Stein expressed her desire to be on record on this issue as the Legislature considers extension or permanence of the existing law. Commissioner Hill suggested the letter include examples of how technology had affected the Commission's processes. The Commissioners agreed and reached unanimous consensus to send the letter to the Legislature.

Commissioner Skinner also shared a brief overview of the International Masters of Gaming Law conference she recently attended. She noted that many panels focused on technology, the future of online gaming, responsible gaming in online spaces, and acceptance of cryptocurrency as payment.

9. [Continuation of Lease Update](#) (6:12:37)

Given the length of the current meeting, Executive Director Wells suggested that the Commission move the executive session regarding the continuation of the office lease until the following Wednesday, prior to the start of the Commission's agenda setting meeting. She commented that the continuation of lease was not likely to be resolved during that executive session. Commissioners agreed with the suggestion.

Hearing no other business, Chair Judd-Stein called for a motion to adjourn.

Commissioner Hill moved to adjourn. Commissioner O'Brien seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously.

List of Documents and Other Items Used

1. Notice of Meeting and Agenda dated May 9, 2022
2. [Commissioners' Packet](#) from the May 12, 2022, meeting (posted on massgaming.com)