



Massachusetts Gaming Commission
Agenda Setting
Meeting Minutes

Date/Time: June 1, 2022 – 10:00 a.m. EST

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID: 111 473 2313

Call to Order

Chair Judd-Stein called to order Agenda Setting Meeting #124 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. May 04, 2022

Commissioner Hill moved to approve the minutes from: May 04, 2022, subject to necessary edits for typographical errors or non-material matters. Commissioner Skinner seconded.

Roll Call Vote:

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

Motion Passed Unanimously 4-0.

Agenda Planning for Upcoming Commission Meetings

The Commission discussed the anticipated agendas for the upcoming meetings scheduled for June 2nd, 2022; June 9th, 2022; June 22, 2022; and subsequent meetings described in the attached agenda planning notice, as follows:

Items For Public Meeting – June 2, 2022

Review of Racing License Application for Opening a New Racetrack – General Counsel Grossman confirmed that the Commission’s discussion and review of the new license application will occur on June 2nd at 10:00 AM for approximately two hours.

Items For Public Meeting – June 9, 2022

Item # 1 – Administrative Update

Executive Director Wells confirmed the Administrative Update would include an update on gaming establishment operations from Assistant Director Band. Executive Director Wells requested an Executive Session be added to the June 9th meeting to accommodate discussion of the lease for the Commission’s offices.

Item # 2 – Regulations – General Counsel Grossman stated that the Legal Division will bring forward regulations at the June 9th meeting.

Item # 3 – Legislative Updates – Commissioner Hill and Ms. Beauchemin do not expect to have a lengthy presentation at the June 9th meeting but will provide a short update on racing bills in the legislature, and the progress of the remote access law, which the Commission submitted a letter in support of last month.

Item #4 – EBH License Renewal – IEB Chief Enforcement Counsel Hall and Project Manager McKay will discuss the Encore Boston Harbor beverage license renewal application before the Commission on June 9th.

Item # 5– Responsible Gaming – Gambling Advertising White Paper– Director Vander Linden confirmed that Gambling Advertising White Paper is ready for presentation after receiving feedback from licensees and community members. Director Vander Linden will provide the Commissioners with a red-lined version of the document to highlight the significant changes to the finalized White Paper.

Item # 6 – Community Mitigation Fund – Community Planning Applications – Chief Delaney confirmed that the Division would likely have eight Public Safety or Specific Impact applications for review before the Commission on June 9th.

Item # 7 – Fiscal 2023 Budget Discussion – Chief Financial Officer Lennon confirmed the initial Budget presentation was ready for presentation June 9th. A second discussion will occur on June 22nd with the Commission being able to vote to approve the budget; after a comment period of two weeks between the meetings.

Item # 8 – Public Records Request Policy – Associate Counsel Torrisi confirmed that the second portion of the Public Records Policy discussion, which details the electronic search processes and third-party vendor usage, is ready to go forward at the June 9th meeting, or could be moved to occur on June 22nd to accommodate timing.

Item # 9 – Commissioner Updates – Office Lease Expiry Update Anticipated Executive Session– As noted above, Executive Director Wells anticipates the need for discussion of this agenda item in an Executive Session during the June 9th public meeting.

Add-on Item – MGM Community Research Project – Director Vander Linden requested that presentation of the report, authored by Dr. Vega, titled: “MGM Impact on Springfield: Community Based Participatory Research” be scheduled for June 9th.

Items For Public Meeting – June 21, 2022

Item # 10 – Community Mitigation Fund – Final Grant Review– Chief Delaney anticipates that the Division will present the remaining 7 to 8 Public Safety and Specific Impact applications received by the Community Mitigation Fund. After some discussion, the Commissioners and Chief Delaney agreed it would be optimal to move this agenda item to the June 22nd meeting.

Items For Public Meeting – June 22, 2022

Add-on Item – Community Mitigation Fund – Final Grant Review– *This item will be moved from June 21, 2022. The public meeting on June 21st will be cancelled.*

Item #11 – Fiscal 2023 Budget Discussion – Chief Financial Officer Lennon confirmed that the second meeting and discussion of the 2023 budget would take place June 22nd. Commissioners could vote to approve the 2023 budget at this time.

Add-on Item – Regulations– Associate Counsel Torrisi and Associate Counsel Young confirmed that the legal division will be bringing forward the following regulations for votes to begin the promulgation process on June 22nd, 2022: 205 CMR 103, *Access to and Confidentiality of Commission Records*; 205 CMR 115.01(4), *Continuing Duty*; and four sections within 205 CMR 138.00: 138.02, *Licensee's System of Internal Controls*; 138.05, *Systems for Ensuring Employee Licensing*; 138.07, *Floor Plans*; and 138.62, *Payment of Table Game Progressive Payout Wagers*. Additionally, Attorney Torrisi will be seeking a vote of finalization for 205 CMR 133, *Voluntary Self Exclusion*. A public hearing for this regulation is scheduled to precede the public meeting on June 22nd.

Items Under Review for Future Meetings:

Item #12 – Responsible Gaming- Research Priorities – Director Vander Linden is seeking an agenda item for discussion of the Commissioner’s Research Priorities but asked that it remain under review for the time being.

Item # 13 – ILEV Review Process – Chief Delaney requested that this matter go forward in July but remain under review for the time being.

Item #14 – Continued Preparation for Potential Sports Wagering –Executive Director Wells asked that this item remain under review but be utilized in the event the Commission needs to provide an update or discussion regarding Sports Wagering in the Commonwealth.

Item #15 – Racing Application Revisions – Executive Director Wells anticipated that this item will be necessary for revisions to the existing racing application the Commission utilizes for current licensees.

Add-on Item – Casino Non-Compliance Penalties – Chief Enforcement Counsel Hall requested this matter go forward on June 22nd or July 12th depending on the length of the June 22nd meeting. After some discussion, the Commission agreed this matter should go forward on July 12th.

Commissioner Updates: Executive Session- Lease Expiry Update

The Commission anticipates that it will meet in executive session in accordance with G.L. c.30A, §21(a)(6) to consider the lease of real property, specifically the Commission’s office space at 101 Federal Street in Boston, as discussion at an open meeting may have a detrimental effect on the negotiating position of the Commission. The public portion of the meeting will not reconvene.

Having no further business, Commissioner O’Brien made a motion to enter an executive session and adjourn the public session of the meeting thereafter. Commissioner Skinner seconded the motion.

Roll Call Vote:

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

The motion passed unanimously. Commissioners entered Executive Session and the meeting did not reconvene in a public setting.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting & Agenda dated May 25, 2022
2. Agenda Setting Minutes – May 04, 2022