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## Massachusetts Gaming Commission Meeting Minutes

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**Date/Time:** July 12, 2022, 10:00 A.M.  
**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
PARTICIPANT CODE: 111 703 9337

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](#) (1:13)

Chair Judd-Stein called to order the 384<sup>th</sup> Public Meeting of the Massachusetts Gaming Commission ("Commission"). Roll call attendance was conducted, and all four commissioners were present for the meeting.

2. [Approval of Meeting Minutes](#) (1:40)

Chair Judd-Stein noted that the agenda included two sets of minutes for approval, but the Commissioner's Packet contained three sets.

Commissioner Hill moved that the Commission approve the meeting minutes from October 7, 2021, and May 25, 2022, that are included in the Commissioner's Packet subject to any necessary changes for typographical errors or other non-material matters. The motion was seconded by Commissioner O'Brien.

Chair Judd-Stein suggested an edit for the October 7, 2021, meeting minutes. Chair Judd-Stein stated that in item number five she wanted to include that she had inquired regarding Commissioner Cameron's availability to assume the role of Treasurer, and that Commissioner Cameron confirmed she was available to serve. Associate General Counsel Judith Young stated that she will meet with Chair Judd-Stein regarding the language to be changed.

Chair Judd-Stein asked if the Commission planned to move on the October 21, 2022, meeting minutes, which was included in the Commissioner's Packet but not the Agenda. Commissioner Skinner asked that separate motions be made for each set of meeting minutes being approved as she was not present for the October 7, 2021, and October 21, 2021, meetings and would be required to abstain.

Chair Judd-Stein noted that the motion was seconded, and the motion therefore had to be withdrawn. Commissioner Hill withdrew the motion.

a. October 7, 2021

Commissioner Hill moved that the Commission approve the minutes from October 7, 2021, that are included in the Commissioner's Packet subject to any necessary corrections for typographical errors or other non-material matters. The motion was seconded by Commissioner O'Brien.

Commissioner Judd-Stein asked for a correction to be made to the minutes which included that Chair Judd-Stein had asked Commissioner Cameron whether she would consider serving as Treasurer.

*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.*

b. May 25, 2022

Commissioner Hill moved that the Commission approve the minutes from May 25, 2022, that are included in the Commissioner's Packet subject to any necessary corrections for typographical errors or other non-material matters. 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 4-0.*

Chair Judd-Stein inquired as to whether the Commissioners had a chance to review the minutes from October 21, 2021, which were included in the Commissioner's Packet but not listed on the agenda. Chair Judd-Stein then asked General Counsel Todd Grossman if the Commission could move on the minutes as they were not on the agenda. General Counsel Grossman stated that the Commission should wait to make a motion until the minutes are noted in the agenda.

Commissioner Hill stated that he believed a member of staff or a Commissioner had previously raised objections with the October 21, 2021, meeting minutes and that he would hold the motion.

3. [Administrative Update](#) (8:38)

a. On-Site Casino Updates

Executive Director Karen Wells introduced Burke Cain, Investigations and Enforcement Bureau (“IEB”) Field Manager of Casino Operations and Gaming Agents Division Assistant Chief. Assistant Chief Cain reported that Encore Boston Harbor (“EBH”) had 2,728 slot machines, 184 table games and 15 poker games at their gaming establishment. He reported that Plainridge Park Casino (“PPC”) had 1,009 slot machines. He further reported that MGM Springfield (“MGM”) had 1,527 slot machines, 48 table games, and 14 poker games at their gaming establishment.

Assistant Chief Cain stated that for the month of July EBH hosted Night Shift Brewery’s beer garden on weekends and would have live country music on the lawn on July 21, 2022. He stated that PPC had live music on their patio and would host several Spirit of Massachusetts Day races on July 24, 2022. Assistant Chief Cain continued that MGM hosted several bands and DJs in Revolution Bar and had fireworks viewing from the garage on July 4, 2022.

Commissioner Hill noted concern regarding the number of poker tables, as 29 for the entire Commonwealth seemed small. He stated that he would like to see the number of poker tables continue to grow. Commissioner O’Brien agreed and asked whether longer hours and weekend access to poker tables was being considered at EBH. Assistant Chief Cain replied that EBH was in the process of announcing extended hours, including longer hours and weekend hours. Chair Judd-Stein stated that the Commission had received an inquiry from a patron regarding the expansion of poker tables at EBH.

Commissioner Skinner stated that in the prior update during the June 22, 2022, public meeting, Commissioner O’Brien requested data regarding the wait time for poker tables, the estimate queue time and average number of patrons in the queue. Assistant Chief Cain explained that at EBH the waiting list was active one hour before the poker room opens, that it was first come first serve, and that the poker room was typically filled to capacity before noon. He stated that there were typically thirty to forty patrons on the waitlist after opening. Commissioner O’Brien asked if the waitlist is electronic, and Assistant Chief Cain replied that it was. Commissioner O’Brien sought information regarding the wait at MGM. Assistant Chief Cain stated that MGM has a walk-up sign in location and that while there are less people waiting, the wait is for longer durations.

Chair Judd-Stein asked when the Commission would hear from the licensees regarding table games. Chief of the Division of Community Affairs Joe Delaney stated that the quarterly review was scheduled for August. Chair Judd-Stein asked how the table game numbers compared to pre-COVID numbers. Assistant Chief Cain stated that MGM lowered theirs slightly, but EBH was running the same amount.

Chair Judd-Stein stated that she had seen a billboard advertising a Machine Gun Kelly concert at Memoire Nightclub, located at EBH in June, and asked if there had been issues with crowd size or issues exiting the venue. Assistant Chief Cain stated the casino reported no issues. Chair Judd-Stein stated that she would appreciate briefing of anticipated events and crowd management for the events. Director of the Investigations and Enforcement Bureau Loretta Lillios stated that the IEB could add that moving forward, and that she had not heard of any issues from the Gaming Enforcement Unit regarding the Machine Gun Kelly concert. Chair Judd-Stein noted she wanted more information regarding crowd size both before and after the COVID pandemic.

4. [Racing Division](#) (20:40)

a. Request for Promotional Fund Consideration

Dr. Alex Lightbown, Director of Racing and Chief Veterinarian, presented a request by PPC to use promotional funds for a summer handicapping series. She noted that funding for handicapping series was approved in the past.

Financial Analyst Chad Bourque stated that each month funds are deposited into the Harness Horse Promotional Trust, and that licensees can use the funds to engage customers and increase attendance. Mr. Bourque explained that distributions of the fund are made upon the Commission's approval, and that the licensee must first submit a Request for Consideration and then a Request for Reimbursement to the Commission. He noted that the present item is the initial Request for Consideration from PPC. Mr. Bourque stated that the request was for \$26,000 for the summer handicapping series which would begin on July 23, 2022, and end on September 5, 2022. He stated that the fund contained \$270,000, and after review of the documentation he recommended approval of this request. The *Request for Promotion Fund Consideration* was included on pages 30 through 38 of the Meeting Packet.

Steve O'Toole, Director of Racing at PPC, stated that this handicapping series would run seven weekly contests, where patrons could earn points per contest, and lead to a \$10,000 final. He noted that the series would end on Labor Day and that live-racing could be mixed in with the final contest.

Mr. O'Toole stated that he had explored social media marketing and had met with a social media group for a proposal. He stated that he did not have the proposal ready for this meeting, but would bring it to the next meeting. Chair Judd-Stein asked if the request would still be timely if deferred to the next meeting on July 28, 2022. Mr. O'Toole stated it may be an issue. Mr. O'Toole also noted that most racetracks had not effectively utilized social media marketing. Chair Judd-Stein noted that there are statutory requirements regarding social media marketing. Commissioner O'Brien stated that the social media marketing should have a focus on responsible gaming. Mr. O'Toole stated that he would work to implement that. Chair Judd-Stein stated she would have Director of Research and Responsible Gaming, Mark Vander Linden, and Gaming Project Manager Long Banh work with him on that.

Chair Judd-Stein asked if Mr. O'Toole was willing to move forward on the vote with the inclusion of the responsible gaming message. Mr. O'Toole noted that PPC brands all advertising

materials with responsible gaming messages, and that GameSense would be present on Spirit of Massachusetts Day.

Commissioners Hill and Skinner sought clarification as to the term “handicapping a race.” Mr. O’Toole stated that horse players differ from casino players in that they are able to study prior to wagering. He continued that a handicap was research compiling factors such as the length of the race, positions, conditions of the track, and weather in an attempt to determine the winner. He stated that there will be ten races at different tracks, which will be free to customers. Commissioner Skinner inquired as to whether patrons were wagering on finishing place. Mr. O’Toole clarified that they are only predicting the winner, not other forms of betting such as placements. He further clarified that the race wagering was limited to those eighteen or older.

Commissioner O’Brien moved that the Commission approve the expenditure of \$26,000 from the Harness Horse Promotional Trust Fund in accordance with Chapter 128A section 5(g) for the purposes described in the Commissioner’s Packet and discussed here today. 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 4-0.*

b. [Local Aid](#) (40:40)

Mr. Bourque stated that Local Aid is payable to each City or Town where racing activities are conducted and stated that the amount of aid was determined as .35% of the handle from the quarter that ended six months prior. He explained that this request from the quarter ending June 30, 2022, was calculated using handles from October, November, and December of 2021. Mr. Bourque stated that according to the calculation the City of Boston would receive \$112,323.20, the Town of Plainville would receive \$29,406.56, the Town of Wrentham would receive \$16,899.72, and the City of Revere would receive \$56,178.44. He stated that the total payment amount would be \$214,807.92. The detailed amount and calculations can be found in the *Local Aid Quarterly Distribution* which was included on pages 27 through 29 of the Meeting Packet.

Commissioner Skinner inquired as to whether the funding for Local Aid had been corrected, as the last time the Commission voted to approve funds the line item was underfunded. Chief Finance and Accounting Officer (“CFAO”) Derek Lennon stated that the fund contained \$297,710.16 unexpended, which was more than enough for this item. He explained that it was underfunded the prior time due to a supplemental request from the legislature, and that the request from the legislature was approved between the time of the vote and time of payment.

Commissioner Skinner asked whether this item would be paid using funds from Fiscal Year 22. Mr. Bourque confirmed that the spending is from FY22, and CFAO Lennon stated that the next payment would be from the Fiscal Year 23 budget.

Commissioner Hill moved that the Commission authorize the Quarterly Local Aid Payments for the final quarter of 2021 to the City of Boston, Town of Plainville, Town of Wrenham, and the City of Revere in the specific amounts reflected in the memorandum in the Commissioner's Packet totaling \$214,807.92. 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 4-0.*

5. [Legal Division](#) (45:31)

a. Adoption of Policy Language from 205 CMR 103.03, 103.09, and 103.14

Associate General Counsel Carrie Torrisi discussed the prior meeting on June 22, 2022, where the Commission voted to rescind 205 CMR 103, the Commission's regulation regarding confidentiality of records and public records requests issues. She stated that the regulation was undergoing promulgation and a final vote would be held to rescind it in September. Associate General Counsel Torrisi stated that at the June 22 meeting, the Commissioners raised concerns regarding the process of preserving the language of 205 CMR 103 sections .03,.09, and .14 as policy. She stated that the language from those three sections of 205 CMR 103 were provided in the Commissioner's Packet as individual documents to be preserved as policy, to avoid gaps between the regulation being rescinded and the policy being implemented.

Commissioner O'Brien thanked Associate General Counsel Torrisi, as this was an important point during the last meeting. Chair Judd-Stein stated that the request was to adopt the language as presented with the understanding they would be edited and put into policy format. Chair Judd-Stein asked if the Commissioners felt comfortable moving on all three in a single motion. The Commissioners unanimously agreed that a single motion was sufficient.

Commissioner O'Brien moved that the Commission adopt the following policies as included in the Commissioner's Packet and discussed here today, namely Official Custodian's Policy, Individuals Responsible for Personal Data Systems, Policy Governing Information in Response to Requests for Applications Phases I and II and lastly Security Protocols and Restricted Access Policy. 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 4-0.*

b. [205 CMR 138.00: Licensee's System of Internal Controls – and Small Business Impact Statement, for approval to begin the promulgation process](#) (51:50)

Associate General Counsel Judith Young presented proposed amendments to four regulations within 205 CMR 138, the regulation which detailed uniform standards of accounting procedures and internal control. The *Proposed Amendments* and the accompanying *Small Business Impact Statement* were included on pages 39 through 50 of the Meeting Packet.

i. 205 CMR 138.02, Licensee's System of Internal Controls

Associate General Counsel Young presented a proposed change to 205 CMR 138.02, regarding details for administrative and internal procedures the licensee must submit prior to commencing operations. She noted that existing language contained no time-based system to ensure the licensee had implemented a system of internal controls after a secondary change had been made or the Commission requested a change be implemented. She noted that IEB suggested a 30-day requirement for the licensee to confirm they had implemented the suggested protocols be included in subsection 7, so that the IEB would not have to continually follow-up with the licensee.

Chair Judd-Stein expressed an interest in ensuring the language is clear on when the 30-day requirement would trigger. Associate General Counsel Young replied that the 30-day requirement would trigger after approval of a modification of the licensee's system.

Commissioner O'Brien inquired as to what consequences would occur should a licensee not comply within thirty days. Associate General Counsel Young stated that IEB has worked on identifying areas of non-compliance, and it would be handled accordingly to similar non-compliance issues.

ii. 205 CMR 138.05, Systems for Ensuring Employee Licensing

Associate General Counsel Young explained that subsection 2(j) of 205 CMR 138.05 had language removed during a previous amendment, and suggested adding the previously approved language to clarify "the date the information in the report was compiled."

Commissioner O'Brien inquired as to whether this was a scrivener's error, or a vote would have to be held on this item. Associate General Counsel Young recommended a vote to approve this language as an amendment, because the language was entirely removed and was showing blank.

iii. 205 CMR 138.07, Floor Plans

Associate General Counsel Young suggested additional clarifying language be included in 205 CMR 138.07 subsection 4 to include additional language instilling the licensees with a quarterly filing requirement to submit floorplans or any amendments every three months or upon IEB request.

iv. 205 CMR 138.62, Payment of Table Game Progressive Payout Wagers

Associate General Counsel Young explained that the current regulation regarding progressive jackpots requires a licensee to submit a system of internal controls detailing when one patron wins a progressive jackpot. She suggested changes that would ask licensees to submit policies that govern when two or more patrons win a progressive jackpot during the same instance of play. She noted that the suggested changes were enacted at one gaming establishment, but not the other. Associate General Counsel Young stated that this policy would attempt a more equitable distribution between the first and second jackpot, with an even split of the jackpot and reset amount values between the two patrons. She stated that the goal is for licensees to uniformly offer this equitable distribution and submit to the Commission the protocols and policies that govern the process.

Commissioner O'Brien asked if this issue had occurred at the licensee who had not enacted this policy. Associate General Counsel Young replied that it had not been an issue, and that the legal division and IEB wanted to preemptively avoid the possibility.

Chair Judd-Stein sought clarification as to whether a public service announcement would be required for a certain time period after the implementation of the change. Assistant Chief Cain noted that as it was not a change in game rules but an administrative payout change. Chair Judd-Stein asked what the communication plan would be for this change. Associate General Counsel Young stated that a separate requirement regarding patron notice would be within 205 CMR 147.03. Chair Judd-Stein asked if this vote would begin the promulgation process. Associate General Counsel Young replied that the Commission would have to first submit the amendments to the Local Government Advisory Committee.

Commissioner Hill moved that the Commission approve the Small Business Impact Statement and the amendments to 205 CMR 138.2, 205 CMR 138.5, 205 CMR 138.07, and 205 CMR 138.62, all as reflected in the Commissioner's Packet and discussed here today and further that the staff be authorized to take the steps necessary to file the required documentation for the Secretary of the Commonwealth and proceed with the regulation promulgation process. 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 4-0.*

6. [Research and Responsible Gaming](#) (1:29:10)

a. GameSense Quarterly Report

Responsible Gaming Program Manager Long Banh introduced Executive Director at the Massachusetts Council on Gaming and Health ("MACGH") Marlene Warner; Director of

Communications and Marketing at MACGH Phillip Sherwood; Director of Responsible Gaming at MACGH Chelsea Turner, and Senior GameSense Advisor Amy Gabrila.

Mr. Banh explained that G.L. Chapter 23k § 9(a)(8) required casino operators to provide an on-site space for independent substance abuse, compulsive gambling and mental health services. He explained that casino operators were also required to establish a program to train employees in identification and intervention with customers exhibiting problem gambling behavior. Mr. Banh explained that the Commission partnered with GameSense to give patrons information and tools which adopt positive play behavior and offer resources to individuals in distress from gambling related harm. Mr. Banh continued that the Commission had contracted with MACGH to operate GameSense information centers located on-site within all Massachusetts casinos and staffed 16-24 hours daily by trained GameSense advisors.

The MACGH team presented their Quarterly GameSense Report, including topics on numbers of interactions, an update on Play My Way at MGM, the GameSense excellence awards, a communications spotlight, live chat update, an overview off hosting the National Conference on Problem Gambling (NCPG) in Boston, and GameSense’s goals for FY23. The *MACGH FY 2022 Fourth Quarter Report* was included on pages 51 through 67 of the Meeting Packet.

Commissioner Hill commented that he looked forward to the FY23 projects and future collaborations and partnerships. Commissioner Skinner echoed Commissioner Hill’s sentiments and asked why EBH’s chart measuring interactions had a subcategory for Voluntary Self-Exclusion while the other gaming establishment charts did not. Ms. Turner explained that EBH is the only GameSense center open overnight, as the other centers are open only sixteen hours per day.

Commissioner O’Brien commented that the statistics were impressive and inquired as to the reasoning given from patrons who unenrolled from Play My Way. Ms. Gabrila noted that she did not have the statistics with her at the time, but in-person patrons who unenrolled were typically unenrolling due to tracking purposes and wished to stay anonymous. Director Vander Linden stated he was working on a study evaluating Play My Way at MGM, with the goal of using research to improve the program based upon more information and evidence.

7. [Investigations and Enforcement Bureau](#) (2:06:50)

a. Civil Penalties and Fines Process and Policy

IEB Chief Enforcement Counsel Heather Hall recapped a discussion from the end of April regarding the IEB’s process of assessing civil administrative penalties, and how the IEB addressed noncompliance matters more broadly. She explained that requirements under G.L. Chapter 23K § 36 require fair notice to licensees in the process of assessing a fine. She further explained that there were a series of escalating enforcement measures prior to the assessment of a fine, including verbal notification by gaming agents, a follow up email, noncompliance forms (“NCFs”) issued by gaming agents, notices of non-compliance by Chief Enforcement Counsel and then assessment of civil administrative penalties.

Counselor Hall stated that fine assessment was fact-specific and incorporated factors such as the seriousness of the offense, the number of prior similar incidents, any opportunities the licensee had to rectify the issue and if they failed to do so, and impact on the integrity of gaming and public safety. Counselor Hall stated that an issue that had come up during the prior meeting was regarding the assessment of fines issued for similar noncompliance, and whether circumstances warranted smaller or larger fine amounts for the subsequent fine. Counselor Hall stated that policy had been adjusted to reflect this consideration. The *Civil Penalties and Fines Process and Policy* was included on pages 68 through 82 of the Meeting Packet.

Counselor Hall stated that in the prior meeting Commissioner Skinner had inquired as to the circumstances lowering the subsequent fine. Counselor Hall noted differences between two previous fines for underage individuals being present on the game floor, where the first \$100,000 fine was based upon the pervasiveness of the issue and the second \$18,000 fine was for significantly less individuals after the gaming establishment had implemented mitigating factors. Counselor Hall stated that IEB was continuing to work through the issue.

Chair Judd-Stein stated that the Commission was planning to formally adopt the clarifying language as a policy. Chair Judd-Stein suggested edits to page 81 in the Commissioner's Packet to include language which notified the licensees of their option to appeal to the Commission. Counselor Hall replied that prior to the assessment of fines, the Notice of Intent issued by the IEB contained this language regarding the right to appeal and the appeal timeframe. Director Lillios stated that there was a statutory requirement and notifying the licensee of their right to appeal was common practice, but not expressly mentioned in policy. Chair Judd-Stein asked if the appeals notification can be included and asked at what point in the process the licensee could file their appeal. Director Lillios explained that once the licensee received the assessment of fines, they have a right to Commission review. Counselor Hall stated that licensees would go to the Commission for review, but registrants would go to a hearing officer.

Chair Judd-Stein suggested a change to the last bullet-point on page 81 to include a clause regarding the Public Records Law and the Open Meeting Law, as it would be difficult to uphold confidentiality with the legal structure of the Commission. Counselor Hall stated that she would take this suggestion and implement it. Associate General Counsel Torrisi stated she would work with IEB on the language required.

Commissioner O'Brien sought clarification as to whether the language detailing the right to appeal is included in the disposition regarding the assessment of fines. Director Lillios noted that the language regarding appeals was included in the assessment, but that all fines to date had been agreed to by the gaming establishments and therefore the right to appeal had been waived. Director Lillios stated that language informing the licensee that their right to appeal is waived by agreement with the fines is provided in writing to the licensees. Chair Judd-Stein stated that language informing the licensee that their appeal was waived upon agreement to the fine should be included in the policy. The Commissioners had no objections to including this language.

Chair Judd-Stein explained that as the fines are fact-based, the Commission should not have a policy of minimum or maximum fines, but that the issue can be reviewed at a later date.

Commissioner Skinner moved that the Commission approve the IEB's process and policy for assessment of civil administrative penalties, both as included in the Commissioner's Packet and discussed here today. 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 4-0.*

8. [Commissioner Updates](#) (2:30:08)

a. Independent Monitor's Budget Update

Commissioner O'Brien explained that the contract with the Independent Monitor Team ("Monitor") required the Monitor to submit estimates for the contract cost, and that if the costs were to exceed fifteen percent over the budget, the Monitor had to alert the Commission to the fact that circumstances changed and exceeded the estimate. Commissioner O'Brien stated that in February 2022 the Monitor revised the estimate from \$775,000 to \$1.125 million for the fiscal year of July 2021 to June 2022. Commissioner O'Brien stated that the Monitor had billed \$1.325 million through April 30, 2022, with invoice still incoming for the remainder of the fiscal year. Commissioner O'Brien presented the Monitor's explanations for the costs represented in the revised estimate.

Chair Judd-Stein sought clarification as to whether there was a maximum amount for which the Monitor could bill. Commissioner O'Brien noted that there was not a hard cap, but an estimated amount of payments for the five years. CFAO Lennon explained that the Monitor extrapolated and anticipated the amount of funding required for the initial six-month time period, but that it was paid as a time and materials rate.

Commissioner O'Brien noted that the increased expenses were based upon how quickly the licensee was compliant with requests, and that issue remained a recurring theme. Chair Judd-Stein noted that the Commission received timely notice in February regarding the excess expenses, but this notice was untimely, and the Monitor exceeded the revised budget by \$230,000 to \$250,000. Chair Judd-Stein asked whether the Commission should ask the Monitor to come in and explain their workplan going forward to address concerns about cost.

Commissioner Skinner stated that notwithstanding the untimely notice, the Monitor's reasons provided seem justifiable. Commissioner Hill stated an interest to have the Monitor update the Commission and recognized that exceeding the budget was not due to the Monitor, but due to the dialogue between the Monitor and licensee.

Chair Judd-Stein asked if the invoices remained unpaid. CFAO Lennon replied that the Commission had not paid April's invoices as the March invoices exceeded 15% higher than the

estimate. Chair Judd-Stein expressed interest in scheduling the Monitor for a meeting in August or September to present their plan and consider whether adjustments would be required.

b. [Legislative Update](#) (2:46:24)

Commissioner Hill stated that the Massachusetts House of Representatives passed House Bill 4978, which provided benefits to veterans and families of veterans, and allowed veteran's groups to offer up to three slot machines in the establishment with all profits designated to go to a local non-profit, under the oversight of the Commission. Commissioner Hill stated that a similar bill had previously been rejected by the state senate.

Chair Judd-Stein stated that the Commission had conducted a great deal of research regarding the impact of gambling on veterans and noted it made sense for Executive Director Wells or Director Vander Linden to send that research to the legislature as they consider this bill.

Commissioner O'Brien stated that the proposed bill would not be a seamless integration, as there were challenges in the difference between licensee's gaming establishments and the proposed slot machines spread across the Commonwealth. Commissioner Hill stated that the Commission should send their research to the legislature, but that there needed to be funding to implement the proposed bill. Commissioner O'Brien stated concerns regarding the regulatory implementation of the proposed bill and issues with monitoring and integrity.

Chair Judd-Stein stated that the information provided to the legislature should include Executive Director Wells' contact information and she would be the point of contact for this issue. Commissioner Skinner requested the research being sent to the legislature be distributed internally within the Commission, and an update regarding on how the Commission is preparing for sports wagering. Commissioner Hill stated his approval for the section of the proposed bill which required notice and information for MACGH and the Department of Public Health to be placed upon the proposed slot machines.

Chief Administrative Officer to the Chair and Special Projects Manager Crystal Beauchemin stated that the House was also hearing a bill that would extend the Open Meeting Law, but the House Bill and Senate Bill contained differences. She stated that staff had worked on the process transitioning back to in-person meetings should the Open Meeting Law not be extended. Commissioner Hill noted that the difference between the bills was that the House Bill would expire on March 2023 while the Senate Bill extended until September 2023. He further noted that the House Bill permanently extended the allowance of hybrid meetings. Commissioner Hill stated that each bill had an emergency preamble, which would effectuate the bill upon being signed and there would not be a 45-day wait for the bill to take effect.

Chair Judd-Stein asked whether sending a repeat of the prior letter detailing the flexibility afforded by remote meeting would be helpful or unnecessary. Commissioner Hill stated that the Commission should reoffer their opinion as the bill is being debated. He stated that the Commission is not the only public entity who requested the Open Meeting Law be extended.

Chair Judd-Stein provided a brief recap of the International Association of Gaming Advisor's conference that occurred in Boston, where she heard from fellow regulators and licensee representation.

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

Commissioner Skinner moved to adjourn. Commissioner O'Brien seconded.

*Roll call vote:*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Commissioner Skinner: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously. Meeting Adjourned.*

### **List of Documents and Other Items Used**

1. Notice of Meeting and Agenda dated July 1, 2022; revised July 5, 2022
2. [Commissioner's Packet](#) from the July 12, 2022, meeting (posted on [massgaming.com](http://massgaming.com))