



Massachusetts Gaming Commission Agenda Setting Meeting Minutes

Date/Time: August 4, 2021 – 10:00 a.m.
Place: VIA CONFERENCE CALL NUMBER: 1-646-741-5293
PARTICIPANT CODE: 111-685-3203

Call to Order

Chair Cathy Judd-Stein called to order the 106th Agenda Setting meeting.

The Chair confirmed a quorum for the meeting by Roll Call. The following Commissioners were in attendance:

*Commissioner Cameron
Commissioner O'Brien
Commissioner Zuniga
Chair Judd-Stein*

Agenda Planning for Upcoming Commission Meetings

The Commission discussed the anticipated agenda for the upcoming Commission meeting scheduled for August 19, 2021, and subsequent meetings as described in the attached agenda planning notes, as follows:

Item #1 – Administrative Update – Executive Director Karen Wells stated that there are three items for the Administrative Update: 1) update from the IEB, 2) recognition of a departure, and 3) update from the State Police.

Item #2 – Regulations – General Counsel Todd Grossman stated that there are not any new regulatory issues to be discussed.

Item #3 – Legislative Updates – Mr. Grossman stated that there are not any planned updates. If something arises it can be added to the agenda.

Item #4 – Responsible Gaming Award Acknowledgements – Director Wells stated that this item should be ready for the August 19th meeting.

Item #5 – Race Horse Development Benefits for Drivers and Jockeys – Director of Racing Dr. Alexandra Lightbown stated that this item will be ready for the August 19th meeting. There will be a memorandum and documents submitted by the different groups. This item will require a vote.

Item #6 – MGM Quarterly Report – Mary Thurlow stated that this item will be ready for the August 19th meeting. Chair Judd-Stein said that the Commission will want the presentation to



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include an update regarding poker and table game offerings. The latter can be added as a separate item on the agenda that follows the quarterly report.

Item #7 – IAGR Conference Update – Commissioner Cameron stated that she will give an update on both conferences.

Item #8 – MGM Play My Way Update – Chief Information Officer Katrina Jagroop-Gomes stated that this item will be ready for the August 19th meeting. Scott Helwig should be added as a presenter.

Item #9 – Encore Request to Modify Floor and Gaming Area – Director of the Investigations and Enforcement Bureau Loretta Lillios explained that the IEB does not have Encore’s request yet. Given that, the item may or may not be ready for the August 19th meeting. This item will require a vote.

Item #10 – Problem Gambling Initiatives to Serve Asian Amer. And Pacific Islander Communities (DPH, Office of Problem Gambling Serv.) – Marie-Claire Flores-Pajot explained that Mr. Vander Linden will be co-presenting this item with DPH. She believes it is on track for the August 19th meeting.

Item #11 – Horse Racing Annual Report – Dr. Lightbown stated that this item will be ready for the August 19th meeting.

Add-On – Chair Judd-Stein added that the Commission has not received an update on the Spirit of Massachusetts race and asked if that should be made a part of the annual report. Dr. Lightbown said that they were planning on providing that update on the same day as a separate item.

Chair Judd-Stein asked if there were other items to add to the August 19th meeting.

Chief of the Division of Licensing Nakisha Skinner received a request from Encore to amend their gaming beverage license, which is related to their request to modify the gaming floor. The item should be heard at the same time as the modification to the gaming floor, which may or may not be ready for the August 19th meeting.

Ms. Skinner would also like to add an agenda item on August 19th regarding requested exemptions from MGM related to Wahlburgers.

Director Wells asked if Chair Judd-Stein would like to include Item #21 regarding the Hiring Process to the August 19th meeting. Chair Judd-Stein responded that it can remain on hold for now.

Future Meetings – September 9, 2021

Item #12 – Gambling Harms & the Prevention Paradox in MA (SEIGMA Team) – Ms. Flores-Pajot said that this item is on track for the September 9th meeting.

Item #13 – CMF – Reserve Applications Review – Ms. Thurlow said that they have received two reserve applications and the item should be ready for the September 9th meeting.

Item #14 – MAGIC Report Discussion – Ms. Flores-Pajot said that they are planning for a public release of the MAGIC report, including a fact sheet, at the September 9th meeting.

Future Meetings – September 23, 2021

Item #15 – Independent Monitor Update – Commissioner O’Brien said that the monitor would be ready for the September 23rd meeting.

Chair Judd-Stein asked Chief Financial and Accounting Officer Derek Lennon if he had any finance items to add to the meeting on September 23rd. Mr. Lennon said that he would be able to give a report on balances forward, gaming positions as of July 1, 2021 and related changes to the assessment, and first quarter spending.

Director Wells requested adding an item to the Administrative Update at the August 19th meeting regarding the Commission’s planning for returning to the Boston office.

Future Meetings – Under Review

Item #16 – CMF Guidelines – Ms. Thurlow said that this will likely be ready for the September 23rd meeting, but it can be kept under review for now. Chair Judd-Stein said that she would like the Communications Department to help with outreach regarding the relevant deadlines.

Commissioner Zuniga asked when guidelines have been released historically. Ms. Thurlow said that they are usually released before Thanksgiving, but they are trying to release them earlier this year. The Commissioners agreed that it would be helpful to release the guidelines earlier to allow applicants additional time.

Item #17 – Responsible Gaming Framework Follow-Up – Ms. Flores-Pajot explained that they are still working on updating the framework and it can be left under review.

Item #18 – Review of Assessment of Civil Administrative Penalties – Ms. Lillios said that she would like to leave this item under review.

Add-on – Ms. Lillios would also like to add an item regarding casino suitability hearings as under review. It may be possible to add the item to the September 9th agenda.

Item #19 – ILEV Review Process and MA Cultural Council Report – Commissioner Zuniga said that he would like to leave this item under review.

Item #20 – MGM REIT Interim Authorizations – Ms. Lillios would like to leave this item under review.

Chair Judd-Stein asked if authorizations will eventually be done on a rolling basis. Ms. Lillios said that the first step will be the interim authorization, which will be all at once.

Item #21 – Hiring Process – Chair Judd-Stein will decide if this item is added to the August 19th or September 9th meeting. Commissioner Cameron asked if this item is holding up the hiring process. Director Wells said that it will depend on what the Commission decides regarding the Executive Director’s hiring authority. Chair Judd-Stein explained that she asked for some guidance on the question of what the statute requires with regard to hiring. They are looking at hiring thresholds so that the Executive Director does not have to go to the Commission for all hires. The conversation should not hold up the hiring process.

Chair Judd-Stein asked about upcoming public safety reports. Commissioner O’Brien responded that a report regarding drunk driving is in progress and she will discuss it with Mr. Vander Linden.

Having no further business, Commissioner Zuniga moved to adjourn the meeting. Commissioner Cameron seconded the motion.

Roll Call Vote:

Commissioner Cameron: Aye.

Commissioner O’Brien: Aye.

Commissioner Zuniga: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated August 4, 2021
2. Massachusetts Gaming Commission, Agenda Planning Notes