



AMENDED

**NOTICE OF MEETING and AGENDA
August 27, 2020 – 10:00 a.m.**

PLEASE NOTE: Given the unprecedented circumstances resulting from the global Coronavirus pandemic, Governor Charles Baker issued an order to provide limited relief from certain provisions of the Open Meeting Law to protect the health and safety of individuals interested in attending public meetings. In keeping with the guidance provided, the Commission will conduct a public meeting utilizing remote collaboration technology. If there is any technical problem with our remote connection, an alternative conference line will be noticed immediately on our website: MassGaming.com.

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, notice is hereby given of a meeting of the Massachusetts Gaming Commission. The meeting will take place:

**Thursday, August 27, 2020
10:00 a.m.**

Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 112 715 4330

All documents and presentations related to this agenda will be available for your review on the morning of August 27, 2020 by [clicking here](#).

PUBLIC MEETING - #316

1. Call to order
2. Approval of Minutes
 - a. June 25, 2020
3. Statement of the Chair: MGC Regulatory Oversight and EBH
4. Administrative Update – Karen Wells, Interim Executive Director/Director of IEB
 - a. Hiring Announcement – Karen Wells, Interim Executive Director/Director of IEB
 - b. Casino Reopening Update – Karen Wells, Interim Director/Director of IEB; Loretta Lillios, Chief Enforcement Counsel/Deputy Director; Bruce Band, Gaming Agents Division Chief, Assistant Director/IEB
 - c. MGC Office Reopening Working Group Update– Karen Wells, Interim Executive Director/Director of IEB
5. Racing Division – Dr. Alex Lightbown, Director of Racing



Massachusetts Gaming Commission

- a. Horse Racing Update – Dr. Alex Lightbown
 - b. Horse Racing Committee Split – Dr. Alex Lightbown; Todd Grossman, General Counsel
VOTE
 - c. Plainridge Park Request for Premium Free Period – Dr. Alex Lightbown; Steve O’Toole, Director of Racing Plainridge Park Casino
VOTE
 - d. Plainridge Park Request to Utilize Handheld Wagering Devices (“Walk Abouts”) on Kentucky Derby Day – Dr. Alex Lightbown; Steve O’Toole, Director of Racing Plainridge Park Casino; Lisa McKenney, Compliance Manager for PPC
VOTE
6. Legal Division – Todd Grossman, General Counsel
- a. 205 CMR 134.03: Gaming Service Employees – Amendment currently adopted by emergency, allowing a gaming licensee to temporarily allow an individual(s) to assist with gaming establishment employee training and related purposes without having to become licensed or registered, from the date operations are recommenced after any period of suspension – and Amended Small Business Impact Statement. – **VOTE to finalize promulgation process**
 - b. 205 CMR 138.72: Policies and Procedures for Ensuring a Workplace Free from Unlawful Discrimination, Harassment and Retaliation. Requiring a system of internal controls for a licensee that includes policies and procedures to ensure a workplace free from unlawful discrimination, harassment, and retaliation – and Amended Small Business Impact Statement. – **VOTE to finalize the promulgation process.**
 - c. CMR 149.04: Race Horse Development Fund: Distributions; Escrow Accounts. Amendment currently adopted by emergency, allowing the Horse Race Committee and the Commission flexibility to set the distribution percentage of monies from the Race Horse Development Fund in a manner to ensure more precise distribution of funds – and Amended Small Business Impact Statement – **VOTE to finalize the promulgation process**
7. Compliance Items Update – Karen Wells, Interim Executive Director/Director of IEB
8. Executive Director Search Update – Chair Cathy Judd-Stein; Commissioner Enrique Zuniga
9. Commissioner Updates
10. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting.
11. **Executive Session pursuant to M.G.L. Chapter 30A Section 21(a)(3) for the purpose of the following discussions:**



Massachusetts Gaming Commission

- a. The Commission is anticipated to meet in executive session in accordance with G.L. c.30A, §21(a)(3) to discuss strategy with respect to collective bargaining as discussion at an open meeting may have a detrimental effect on the bargaining position of the Commission. The public session of the Commission meeting will not reconvene at the conclusion of the executive session. **VOTE**
- b. The Commission is anticipated to meet in executive session in accordance with G.L. c.30A, §21(a)(3) to discuss strategy with respect to a matter related to *Wynn v. Wells, MGC, Wynn Resorts, et al.*, as discussion at an open meeting may have a detrimental effect on the litigating position of the Commission. The public session of the Commission meeting will not reconvene at the conclusion of the executive session. **VOTE**
- c. The Commission is anticipated to meet in executive session in accordance with G.L. c.30A, §21(a)(3) to discuss strategy with respect to *FBT Everett Realty, LLC v. MGC v. Wynn MA, LLC* as discussion at an open meeting may have a detrimental effect on the litigating position of the Commission. The public session of the Commission meeting will not reconvene at the conclusion of the executive session. **VOTE**
- d. The Commission is anticipated to meet in executive session in accordance with G.L. c.30A, §21(a)(3) to discuss strategy with respect to a matter related to *FBT Everett Realty, LLC v. MGC v. Wynn MA, LLC* as discussion at an open meeting may have a detrimental effect on the litigating position of the Commission. The public session of the Commission meeting will not reconvene at the conclusion of the executive session. **VOTE**
- e. The Commission is anticipated to meet in executive session in accordance with G.L. c.30A, §21(a)(3) to discuss strategy with respect to *City of Revere, and Mohegan Sun Massachusetts, LLC v. Massachusetts Gaming Commission* as discussion at an open meeting may have a detrimental effect on the litigating position of the Commission. The public session of the Commission meeting will not reconvene at the conclusion of the executive session. **VOTE**

I certify that on this date, this Notice was posted as “Massachusetts Gaming Commission Meeting” at www.massgaming.com and emailed to: regs@sec.state.ma.us, melissa.andrade@state.ma.us.

August 26, 2020

Cathy Judd-Stein, Chair

Date Posted to Website: August 26, 2020 at 10:00 a.m.



Massachusetts Gaming Commission