Massachusetts Gaming Commission
Meeting Minutes

Date/Time: **October 8, 2026, 10:00 A.M.**
Place: **Massachusetts Gaming Commission**
VIA CONFERENCE CALL NUMBER: +1-213-631-9908
PHONE CONFERENCE ID: 503 027 228#

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 Jordan Maynard
Commissioner Eileen O'Brien
Commissioner Bradford Hill
Commissioner Nakisha Skinner
Commissioner Paul Brodeur

1. Call to Order (05:45)

Chair Maynard called to order the 599th Public Meeting of the Massachusetts Gaming Commission ("Commission"). Roll call attendance was conducted, and all five Commissioners were present for the meeting.

2. Administrative Update (06:27)

Executive Director Dean Serpa stated that in response to the Commission's request regarding operator use of artificial intelligence ("AI") at the September 24, 2026 public meeting, the Sports Wagering Division had started reviewing the operators' privacy policies, internal controls, and disclosures related to the use of machine learning. He stated that the Commission's AI taskforce had met twice since the previous public meeting and developed questions focused on the topic of AI that would be sent to the operators in the following week. He also stated that meetings had been scheduled with the sports wagering operators regarding their use of machine learning and AI.

a. Update to the Commission on the Third-party Casino Exclusion Program (08:24)

Director of Research and Responsible Gaming Mark Vander Linden provided an update on the requirements for court ordered exclusion in Massachusetts. He explained that pursuant to G.L. c.

23K, § 45(i), an immediate family member or guardian may petition a district court for an order of exclusion from gaming establishments in Massachusetts, and if the court finds that the person is a problem gambler, the court may order that the individual be added to the list of excluded persons managed by the Commission. He noted that this was captured in the Commission's regulations at 205 CMR 152.05. He confirmed that the Boston Municipal Court and district courts have provided training and have a process in place to receive and hear these petitions. He stated that while there had not yet been a petition requesting exclusion, that might be due to lack of awareness. He stated that the Research and Responsible Gaming Division was working with the Massachusetts Council on Gaming and Health and the Commission's Communications Division to develop a list of available resources, including court ordered exclusion.

3. Meeting minutes (12:17)

a. August 27, 2026

The August 27, 2026 public meeting minutes were included in the Commissioners' Packet on pages 2 through 10.

Commissioner O'Brien moved that the Commission approve the minutes in the packet from August 27, 2026, subject to any revisions for typographical errors or other non-material matters. Chair Maynard seconded the motion.

Roll call vote:
Commissioner O'Brien: *Aye.*
Commissioner Hill: *Aye.*
Commissioner Skinner: *Abstain.*
Commissioner Brodeur: *Abstain.*
Chair Maynard: *Aye.*
The motion passed, 3-0 with two abstentions.

b. September 10, 2026 (13:11)

The September 10, 2026 public meeting minutes were included in the Commissioners' Packet on pages 11 through 19.

Commissioner O'Brien moved that the Commission approve the meeting minutes in the packet from September 10, 2026, subject to any revisions for typographical errors or other non-material matters. Commissioner Hill seconded the motion.

Roll call vote:
Commissioner O'Brien: *Aye.*
Commissioner Hill: *Aye.*
Commissioner Skinner: *Aye.*
Commissioner Brodeur: *Aye.*
Chair Maynard: *Aye.*
The motion passed unanimously, 5-0.

4. Legal Division (14:03)

a. 205 CMR 238.33: Prohibited Persons – Discussion and Review of Regulation and Amended Small Business Impact Statement for Final Review and Adoption

Deputy General Counsel Jenna Hentoff presented proposed amendments to 205 CMR 238.33 for final review and adoption. *A memorandum, redline draft of the amendments to 205 CMR 238.33, public comments, and Amended Small Business Impact Statement were included in the Commissioners' Packet on pages 20 through 26.*

Commissioner Brodeur noted the public comment from FanDuel and inquired whether the Commission already had the ability to identify and implement alternative procedures. Deputy General Counsel Hentoff stated that the Commission did have that authority but that the language in the draft is intended to provide clarity and be consistent with other regulations which required that confiscated funds be deposited in the Sports Wagering Fund.

Commissioner Skinner stated that she understood that the language was being amended to be consistent with other regulations but that she had concerns regarding language used in the regulation and wanted it to be reviewed further. Deputy General Counsel Hentoff stated that she would review the history of the Commission's regulations which contain the phrases "where reasonably possible" and/or "in a lawful manner" in order to better understand the scope of those phrases". She stated that she would also confer with the Sports Wagering Division to understand the operators' approach and report back to the Commission with this information.

Commissioner Brodeur moved that the Commission approve the Amended Small Business Impact Statement and the draft of 205 CMR 238.33 as included in the Commissioners' Packet and discussed here today, and further, that staff be authorized to take the steps necessary to file the required documentation with the Secretary of the Commonwealth to finalize the regulation promulgation process. Commissioner Hill seconded the motion.

Roll call vote:
Commissioner O'Brien: *Aye.*
Commissioner Hill: *Aye.*
Commissioner Skinner: *Aye.*
Commissioner Brodeur: *Aye.*
Chair Maynard: *Aye.*
The motion passed unanimously, 5-0.

5. Community Affairs Division (20:21)

a. Reappointment Recommendations for Local Community Mitigation Advisory Committee and Subcommittee Members

Senior Program Manager Mary Thurlow presented recommendations for the reappointment of members to the Local Community Mitigation Advisory Committee and Subcommittee. *A*

memorandum regarding appointment recommendations for the LCMAC and the Subcommittee on Community Mitigation was included in the Commissioners' Packet on pages 27 through 31.

Senior Program Manager Thurlow noted that a Commissioner must be appointed to the Subcommittee on Community Mitigation. The Commission reached a consensus to reappoint Commissioner Hill to the Subcommittee on Community Mitigation.

Commissioner Brodeur moved that the Commission reappoint Vincent Panzini and David Bancroft and appoint Dr. Catherine Vuky to the Region A Local Community Mitigation Advisory Committee, and that it reappoint Joan Kagan Levine and Ellen Patashnick, and appoint Diana Szynal and Aaron Vega to the Region B Advisory Committee, all for a term of one year; and further, that Commissioner Hill be designated as the Commission's representative on the Subcommittee on Community Mitigation. Commissioner Skinner seconded the motion.

Roll call vote:
Commissioner O'Brien: *Aye.*
Commissioner Hill: *Aye.*
Commissioner Skinner: *Aye.*
Commissioner Brodeur: *Aye.*
Chair Maynard: *Aye.*
The motion passed unanimously, 5-0.

b. FY 2028 Community Mitigation Fund Guidelines (25:58)

Chief Financial and Accounting Officer ("CFAO") Derek Lennon presented the proposed FY2028 Community Mitigation Fund ("CMF") Guidelines. *The proposed FY2028 Community Mitigation Fund Guidelines, a presentation regarding changes to the guidelines, the FY2027 guidelines, and the Intent to Request form were included in the Commissioners' Packet on pages 32 through 86.* He reviewed the proposed changes to the guidelines and the program for the upcoming year, noting that the changes were designed to eliminate barriers and ensure that available funds are granted.

Commissioner Hill stated that the changes to the CMF guidelines were excellent and confirmed that he wanted to have a two-week public comment period before approving the guidelines. Commissioner Brodeur agreed. Chair Maynard expressed appreciation for the Legislature and Governor's Office for restoring funding to the Community Mitigation Fund. CFAO Lennon stated that the guidelines would be put out for public comment and brought back to the Commission in the near future for a vote. The Commission thanked CFAO Lennon for his role in assisting the Community Affairs Division.

Chair Maynard noted that the Commission did not anticipate returning to the public meeting session following the executive session on Agenda Item 6. He stated that the Commission would address Agenda Items 7 and 8 before returning to Agenda Item 6.

6. Investigations and Enforcement Bureau (44:17)

a. Year-End 2025 Sports Wagering Financial Review

i. Executive Session

Chair Maynard noted that the Commission would not return to the public meeting session following this executive session.

Chair Maynard stated that the Commission anticipated that it would meet in executive session in accordance with G.L. c. 30A, § 21(a)(7) and G.L. c. 23N, § 6(i) to review information and reports provided by: Bally Bet, BetMGM, Caesars Sportsbook, DraftKings, Fanatics Betting and Gaming, FanDuel, and Penn Sports Interactive to the Commission relative to the Commission's review of finances for its Sports Wagering operators in 2025. These reports contain trade secrets, proprietary and/or competitively-sensitive information and, that if disclosed or discussed publicly, would be detrimental, or would place the licensees at a competitive disadvantage.

Commissioner Brodeur moved that the Commission go into executive session on the matter and for the reasons just stated by the Chair. Commissioner O'Brien seconded the motion.

Roll call vote:
Commissioner O'Brien: *Aye.*
Commissioner Hill: *Aye.*
Commissioner Skinner: *Aye.*
Commissioner Brodeur: *Aye.*
Chair Maynard: *Aye.*
The motion passed unanimously, 5-0.

Transcriber's Note: The Commission entered executive session at 10:47 A.M. and did not return to the public meeting session.

7. Commissioner Updates (40:46)

Chair Maynard asked if there were any Commissioner updates and received no response.

8. Other Business (40:55)

Commissioner Brodeur stated that one of the Commission's casino operators was subject to a work stoppage and noted that the Commission had received inquiries regarding the impact of the strike. He stated that the Gaming Enforcement Unit and Gaming Agents continued to be an important presence at the casino and that staff kept the Commission updated regarding operations. He asked if it would be appropriate for the Commission to get an update regarding how the work stoppage impacted the Commonwealth's revenue. Chair Maynard stated that it made sense to get an update as it was now six weeks since the work stoppage began. He asked Executive Director Serpa, CFAO Lennon, and Director of the Investigations and Enforcement Bureau Caitlin Monahan to give the Commission and public a broad update at a future meeting.

Commissioner Brodeur noted that though he was not able to attend the August 27, 2026 meeting, he was able to view the recording. He thanked the Research and Responsible Gaming Division and the research partners from the University of Chicago for the presentation on the study regarding sports wagering among young adults. He stated that research helps the Commission identify how to best provide consumer protections in the marketplace.

Hearing no other business, the Commission returned to Agenda Item 6.

List of Documents and Other Items Used

1. Notice of Meeting and Agenda dated October 6, 2026.
2. Commissioners' Packet from the October 8, 2026, meeting (posted on massgaming.com).