



NOTICE OF MEETING AND AGENDA

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, and Chapter 107 of the Session Acts of 2022, notice is hereby given of a meeting of the **Massachusetts Gaming Commission**. The meeting will take place:

Wednesday | December 14th, 2022 | 9:00 a.m.
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID/ PARTICIPANT CODE: 112 383 4135

Please note that the Commission will conduct this public meeting remotely utilizing collaboration technology. Use of this technology is intended to ensure an adequate, alternative means of public access to the Commission's deliberations for any interested member of the public. If there is any technical problem with the Commission's remote connection, an alternative conference line will be noticed immediately on www.massgaming.com.

PUBLIC MEETING #136

- 1) Call to Order – Cathy Judd Stein, Chair
- 2) Review of Meeting Minutes
 - a) November 2, 2022
 - b) November 16, 2022
 - c) November 30, 2022
- 3) Agenda Planning for Upcoming Public Commission Meetings. (See following pages.)
- 4) Commissioner Updates
- 5) Other Business – Reserved for matters the Chair did not reasonably anticipate at the time of posting.

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. **Date Posted to Website:** December 12, 2022 | 9:00 a.m. EST

December 09, 2022

Cathy Judd-Stein, Chair



Massachusetts Gaming Commission

If there are any questions pertaining to accessibility and/or further assistance is needed, please email crystal.beauchemin@massgaming.gov.

MASSACHUSETTS GAMING COMMISSION AGENDA PLANNING

MEETING DATE:
December 15, 2022 | 10AM

AGENDA ITEM TOPIC	MGC REPRESENTATIVE
1. Administrative Update	Wells, K.
2. Meeting Minutes	Young, J.
3. Regulations: 205 CMR 138, 205 CMR 238, 205 CMR 254	Grossman, T. Monahan, C. Torrise, C.

MEETING DATE:
December 22, 2022 | 9:30AM

AGENDA ITEM TOPIC	MGC REPRESENTATIVE
4. Administrative Update	Wells, K.
5. Meeting Minutes	Young, J.
6. Regulations	Grossman, T.
7. M.G.L. 23N Sports Wagering Studies Updates	Vander Linden, M.
8. Sports Wagering Vendor Regulation- Penalties Analysis	Lillios, L. Grossman, T.

MEETING DATE:
January 12, 2022 | 9:30AM

AGENDA ITEM TOPIC	MGC REPRESENTATIVE
9. Administrative Update	Wells, K.
10. Meeting Minutes	Young, J.
11. Regulations	Grossman, T.

UNDER REVIEW

AGENDA ITEM TOPIC	MGC REPRESENTATIVE
12. Community Based Research	Vander Linden, M.
13. Encore Boston Harbor – Independent Monitor Petition	Commissioners
14. Request to Escrow RHDF	Lightbown, A. Grossman, T.
15. ILEV Review Process	Delaney, J. Grossman, T Hill, B.
16. Compliance Committee	O'Brien, E.
17. Succession of Officers and Positions	O'Brien, E.
18. East of Broadway Development	Delaney, J. Grossman, T.
19. SW advertising/media presentation	Hill, B.

Assigned meeting dates are subject to change

OTHER MEETINGS:

December 13-14 (SW Application Review)

December 19-20 (SW Application Review)

December 22

January 3- Round Tables – Players Association/Leagues

January 4-6 (SW Application Review)

January 9-11 (SW Application Review)

January 12

January 13 (SW Application Review)

January 17-19 (SW Application Review)

January 18 (Regulations Only- 9-10AM)

January 20 (Agenda Setting 9:30-10:30AM)

January 20 (11AM)

January 25

January 26

January 31

February 1 (Agenda Setting)

February 2

February 9



**Massachusetts Gaming Commission
Agenda Setting
Meeting Minutes**

Date/Time: November 2, 2022 – 10:00 a.m. EST

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID: 112 844 0043

Call to Order

Chair Judd-Stein called to order Agenda Setting Meeting #133 of the Massachusetts Gaming Commission (“Commission”).

Quorum was confirmed for the meeting by roll call. The following Commissioners were present for the meeting:

*Chair Cathy Judd-Stein
Commissioner Bradford R. Hill
Commissioner Eileen O’Brien
Commissioner Nakisha Skinner
Commissioner Jordan Maynard*

Approval of Prior Agenda Setting Meeting Minutes

- a. September 21, 2022

Commissioner Hill requested that this item be moved to the end of the agenda setting meeting, so that parties had additional time to review the minutes. Chair Judd-Stein agreed.

Agenda Planning for Upcoming Commission Meetings

The Commission discussed the anticipated agendas for the upcoming meetings scheduled for November 10th, 16th, 17th and additional meetings described in the attached agenda planning notice, as follows:

Items For Public Meeting – November 10, 2022

Item #1 – Administrative Update – Executive Director Wells recommended that on-site casino update would be given at a later meeting, given the length of the November 10th agenda. She

additionally requested an item within the administrative update for an employee vacation time discussion. She stated that she would recuse herself from this discussion and in turn, it would be led by Chief People and Diversity Officer, David Muldrew.

Item #2 – Meeting Minutes – General Counsel Grossman confirmed that the Legal Department would continue to provide minutes drafts to Secretary Hill for approval by the Commissioners.

Item #3 – Regulations – General Counsel Grossman confirmed that members of the Legal Division will present final drafts of 205 CMR 244.06, 205 CMR 2.01, 205 CMR 103 at the November 10th meeting. Additionally, the Commissioners will be able to review the edits made to the following draft regulations after their presentation during the last public meeting: 205 CMR 212, 205 CMR 214, 205 CMR 215, 205 CMR 218, 205 CMR 219, 205 CMR 220, and 205 CMR 221. Additionally, the Legal Division will bring forward the new draft regulations pertaining to sports wagering for Commissioner’s review including 205 CMR 105, 205 CMR 235, 205 CMR 233, and 205 CMR 250.

Item #4 – New Employee Survey at Encore Boston Harbor: January 2019 through December 2021 – Mark Vander Linden, Director of the Research and Responsible Gaming Division confirmed that this item was ready to go forward on the 10th and materials had been submitted in advance.

Item #5 – Fiscal Y23 1st Quarter Budget Update – Finance Division – CFAO Lennon confirmed this agenda item and estimated it taking no more than 15 to 20 minutes.

Item #6 – Final Community Mitigation Fund Guidelines – Chief Delaney confirmed this agenda item would be ready for presentation on November 10th with the Final Guidelines being posted for public comment prior to the meeting. Chief Delaney anticipated that presentation for this item would be brief given that no comments had been received at this time.

Item #7 – Quarterly Report for PPC – Chief Delaney confirmed that this report was ready to go forward on November 10th, with an accompanying PowerPoint presentation from representatives from PPC.

Item #8 – MGM Springfield Employee Exemption Request – Loretta Lillios, Director of the IEB confirmed that this agenda item was ready for discussion and that Licensing Supervisor Dave McLay would lead the presentation.

Item #9 – Human Resources – HR DEI Update – Chief People Officer Muldrew confirmed this matter was ready to go forward accompanied with a short memorandum provided to the Commissioners in advance of the meeting and placed in the Commissioner’s packet.

Item #10 – Succession of Officers and Positions – Commissioner O’Brien requested that this matter be moved to a meeting in January, or under review for the time being, so that more preparation could be made prior the presentation.

Add on Item – Executive Director Wells requested an agenda item be to allow Category Two sports wagering license applicants to present their time frames and scheduling.

Item #11 – Sports Wagering Preparation Update – Executive Director Wells confirmed that brief updates from the IEB, Legal Division, and the Division of Research and Responsible gaming would take place at the November 10th meeting, given the length of the existing agenda.

Items for Future Meetings:

Sports Wagering Roundtable - November 14th

Items for Public Meeting - November 16th:

Item #15 – EBH Quarterly Report (moved from Under Review)– Chief Delaney confirmed that this agenda item was ready for presentation on November 16th with a presentation by representatives from EBH.

Item #16 – EBH Broadway Development – Revised Proposal (moved from Under Review) – Chief Delaney confirmed that representatives from EBH were available to discuss this item at a public meeting beginning at 10am, Wednesday November 16th. Commissioners and Executive Director Wells agreed to schedule the Agenda Setting meeting for 9am. Chief Delaney explained that this item would not be requiring a vote but would be more of a discussion and presentation by EBH General Counsel and their external counsel. He anticipated that after this presentation, they would hold a public hearing and public meeting so that public comment and public input could be given from the surrounding community.

Items for Public Meeting - November 17th:

Administrative Update – Executive Director Wells confirmed an onsite casino update from Assistant Director Bruce Band would occur on November 17th.

Meeting Minutes – One set of public meeting minutes from May 12, 2022, will be included in the packet for this meeting date.

Regulations – Deputy General Counsel Monahan confirmed that the Legal Division would be presenting drafts of the following sports wagering regulations: 205 CMR 202, 250, 251 205 CMR 235, and technical regulations: 205 CMR 143, 243 and 244.

Sports Wagering Process Update – Director Lillios will provide a brief update on the sports wagering application process to date at the November 17th meeting.

Items Under Review for Future Meetings:

Item #12 – Sports Wagering Vendor Regulation – Penalties Analysis– This item will remain under review.

Item #13 – Independent Monitor Report – Chair Judd-Stein confirmed that this item will remain under review until a date for the interim presentation could be determined.

Item #14 – Request for Escrow RHDF – General Counsel Grossman confirmed the legal team was reviewing this item but agreed with the Chair that this item remain under review.

Item #15 – EBH Quarterly Report– This item will go forward on November 16th.

Item #16 – EBH Broadway Development – Revised Proposal – This item will go forward on November 16th.

Item #17 – Responsible Gaming – Community Based Research – Director Vander Linden noted that a community event was scheduled for November 2nd, with an official release of the report scheduled during the event. He requested that this report be presented after the community event sometime in November.

Item # 18 – Responsible Gaming – Commissioner Research Priorities – Director Vander Linden requested that this item remain under review until receiving more information from Commissioners.

Item # 19 – Public Records Request Policy and IT – Deputy General Counsel Torrisi and Deputy General Counsel Monahan confirmed to the Chair and Executive Director Wells that this item be presented on the 17th for a discussion, with the agenda title tentatively set as, “*IT Solutions for Public Records.*”

Item # 20 – ILEV Review Process – Chief Delaney requested that this item remain under review.

Item #21 – Compliance Committee – Commissioner O’Brien requested that this item remain under review.

Commissioners and Executive Director Wells then engaged in brief discussion regarding timeline and the submission of sports wagering applications, which are due on the 21st of November. Executive Director Wells expressed concern that there could be some delays with applications, that are not fully complete, which in turn could slow down the process and timing and lead to the IEB not being able to provide the Commission with a timely update. General Counsel Grossman confirmed to the Chair that there is a regulation that allows the Commission to decide whether to grant relief and allow for late or supplemental receipt of materials. Director Lillios confirmed that the Licensing Division and IEB are reviewing applications on a rolling basis but will likely be able to provide an update to Commissioners as anticipated.

In regard to the evaluation and discussion of tethered Category 3 applications, Executive Director estimated that the IEB would need more time to report on the entity qualifiers. She suggested that the tethered Category 3 applicants were a non-competitive process and that the Commission could

begin the review of the general application and work on that while the IEB evaluates the information submitted by the entities. She clarified that these entities were not like the entities that the Commission had familiarity with like those in the Category 1 group, but were likely to require more review, specifically, an IEB review of their self-reported information. Director Lillios agreed with Executive Director Wells' assessment.

Commissioners then discussed the meeting dates for December 2022 and January 2023 and their relative availability. Consensus was reached that dates would be determined after the 22nd, when the Commissioners and staff would have a better estimate of how many applications were received.

Approval of Prior Agenda Setting Meeting Minutes

a. September 21, 2022

Commissioner Hill moved to approve the minutes from the September 21, 2022, and the October 5, 2022, Agenda Setting meeting, subject to correction for typographical errors or other non-material matters. Commissioner Skinner seconded.

Roll Call Vote:

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

The motion passed unanimously, 5-0.

Having no further business, Commissioner O'Brien moved to adjourn. Commissioner Hill seconded.

Roll Call Vote:

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

The motion passed unanimously. Meeting adjourned.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting & Agenda, dated September 30, 2022
2. Agenda Setting Meeting Minutes dated, September 21, 2022.

FUTURE SCHEDULED MEETING DATES:

November 16 – Agenda Setting

November 29 – Public Meeting

November 30 – Agenda Setting

December 1 – Public Meeting

December 15 – Public Meeting

January 19th - TBD



Massachusetts Gaming Commission Agenda Setting Meeting Minutes

Date/Time: November 16, 2022 – 9:00 a.m. EST

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID: 111 219 0807

Call to Order

Chair Judd-Stein called to order Agenda Setting Meeting #134 of the Massachusetts Gaming Commission (“Commission”).

Quorum was confirmed for the meeting by roll call. The following Commissioners were present for the meeting:

*Chair Cathy Judd-Stein
Commissioner Bradford R. Hill
Commissioner Eileen O’Brien
Commissioner Nakisha Skinner
Commissioner Jordan Maynard*

Prior to the start of the meeting’s agenda, The Chair, Commissioners, and staff welcomed Dr. Bonnie Andrews, who had recently been hired as a Research Manager in the Division of Research and Responsible Gaming.

Approval of Prior Agenda Setting Meeting Minutes

a. November 2, 2022

Commissioner Hill clarified that there would be no minutes to review at this meeting, but that there would be two sets of minutes at the next agenda setting meeting on November 30th.

Agenda Planning for Upcoming Commission Meetings

The Commission discussed the anticipated agendas for the upcoming meetings scheduled for November 16th, 17th, 22nd, 29th and additional meetings described in the attached agenda planning notice, as follows:

Items For Public Meeting – November 16, 2022

Item #1 – Administrative Update – Executive Director Wells confirmed that an on-site casino update would be given by IEB Assistant Director Band.

Item #2 – Meeting Minutes – General Counsel Grossman clarified that Minutes would not be on the agenda for the November 16th meeting.

Item #3 – EBH Quarterly Report – Chief Delaney confirmed that this agenda item was ready for presentation later this morning.

Item #4 – EBH Broadway Development – Revised Proposal – Chief Delaney confirmed that representatives from EBH and external counsel were available to discuss this item later this morning. Chief Delaney explained that a public hearing and meeting would follow this initial discussion and presentation. He also clarified that a vote would not be taken by Commissioners at the meeting being held later today.

Items For Public Meeting – November 17, 2022

Item #5 – Administrative Update – This agenda item will not be presented, as both Executive Director Wells and Assistant Director Band had scheduling conflicts.

Item #6 – Meeting Minutes – General Counsel Grossman confirmed that the Legal Department would continue to provide minutes drafts to Secretary Hill for approval by the Commissioners. A set from May 12, 2022, was listed on the agenda for the public meeting.

Item #7 – Sports Wagering Regulations – Deputy General Counsel Torrisi confirmed the Legal Division would bring forward drafts of the following regulations on November 17th: 205 CMR 251: *Operations Certificate*; 205 CMR 239: *Disclosure Reporting/Operations*; 205 CMR 244: *Certificate of Equipment and Approval*. Counsel will also be bringing forward edits on drafts to 205 CMR 250: *Protections to Underage Youths*; 205 CMR *Occupational Licenses*; and 205 CMR 202: *Authority and Definitions*, which will have new definitions added to it.

Item #8 – IT Solutions for Public Records Responses – Deputy General Counsel Torrisi requested an alternate date for this agenda item, as Executive Director Wells had a scheduling conflict.

Item #9 – Sports Wagering Update – Executive Director Wells clarified that IEB Director Lillios would provide brief updates this meeting, as she will be unavailable.

Items For Public Meeting – November 22nd, 2022

**Transcriber's note: this meeting was subsequently cancelled by posted notice on November 18, 2022.*

Item #10 – Administrative Update – Executive Director Wells confirmed an onsite casino update for this meeting.

Item #11 – Meeting Minutes – General Counsel Grossman confirmed that a set of minutes from September 8, 2022, was listed on the agenda for the November 22nd public meeting.

Item # 12 – Sports Wagering Regulations – General Counsel Grossman clarified that this item was reserved for overflow from previous meetings where regulations were presented and edits to were requested by Commissioners. He clarified that the Legal Division had no new regulations to present but would hold this meeting time for overflow regulations and edits from the November 17th meeting.

Add-on Item– Independent Monitor - Interim Report – Chair Judd-Stein and Special Projects Manager Beauchemin confirmed that this item will go forward at the November 22nd meeting; with staff from Miller & Chevalier requesting to go earlier in the meeting if possible.

Add-on Item – IT Solutions for Public Records Responses – Deputy General Counsel Torrisi and Executive Director Wells confirmed that this matter could go forward to discussion on November 22nd.

Item #13 – Sports Wagering Update – CFAO Lennon and Executive Director Wells stated that there may be an update on the procurement of a Project Manager at this meeting but would confirm as soon as possible.

Items For Public Meeting – November 29th, 2022

Item #14 – Administrative Update – Chair Judd-Stein confirmed an administrative update would take place at the November 29th meeting and would include an onsite casino update from Assistant Director Band.

Item #15 – Meeting Minutes – This agenda item was confirmed for the November 29th meeting.

Item # 16 – Regulations – Deputy General Counsel Monahan clarified that the Legal Division would hold this meeting time for overflow presentations and regulations that had been edited after their initial presentation at the November 17th and 22nd meetings, respectively.

Add-on Item – Racing – Racing Calendar Approval – Director of Racing Steve O’Toole appear in front of the Commission for approval of the Plainridge Park racing calendar after canceling a racing day due to extreme heat and alternating one racing day for another. The Commission must vote to approve the schedule, and changes.

Item #17 – Sports Wagering Update – IEB Update re: SW Applications– Brief updates from each Division within the Commission would be given at this meeting, including a short update from the IEB regarding the Applications that were received from prospective sports wagering operators.

Items For Public Meeting – December 1, 2022

Item #18 – Administrative Update – *An administrative update would not be given at this meeting, given the update happening at the December 29th meeting occurring earlier in the week.*

Item #19 – Meeting Minutes – Meeting Minutes from August 18th and September 12th will be included on the December 1st agenda for approval by the Commission

Item # 20 – Regulations – Deputy General Counsel Torrisi confirmed the Legal Division would bring forward final drafts of the following regulations for a vote of finalization: 205 CMR 202: *Authority and Definitions*; 205 CMR 240: *Fees and Tax Remittance*; 205 CMR 234: *Vendors*; and 205 CMR 211: *Operator Applications*.

Item #21 – Responsible Gaming – Community Based Research– Director Vander Linden noted that this date was no longer optimal for the research team and requested that this item be moved under review until new date could be selected.

Add-on Item– Responsible Gaming – Commissioner Research Priorities – Director Vander Linden requested that this item go forward at the December 1st meeting, instead of the Community Based Research agenda item.

Commissioners engaged in a brief discussion regarding scheduling of meetings for presentations pertaining to advertising and responsible gaming; with participation from specific stakeholders and external and internal legal teams. Chair Judd-Stein stated that she would like to receive more information on targeted advertising and how the Commission can best support individuals enrolled on the Voluntary Self Exclusion lists. Commissioners agreed that another substantive roundtable would not be necessary but agreed that utilizing agenda items for discussion at future public meetings would be optimal.

Add-on Item – IEB – Statewide Law Enforcement Agency under 23N – Chief Enforcement Counsel Hall requested an agenda item for the Commission to vote to authorize the GEU to be the official Law Enforcement Agency designated under M.G.L. c. 23N § 11c.

Add-on Item – Legal Division- Pontoon 21 – Deputy General Counsel Torrisi requested an agenda item for the legal division and the IEB to introduce a new table game, Pontoon 21.

Item #22 – Sports Wagering Update – This agenda item will be used to provide divisional updates on sports wagering as necessary.

Items Under Review for Future Meetings:

Item #23 – Sports Wagering Vendor Regulation – Penalties Analysis– Chief Enforcement Counsel Hall requested that this item remain under review.

Item #24 – Independent Monitor Report – *This item was moved to the November 22nd meeting agenda.*

Add-on Item – EBH Petition to Dismiss Independent Monitor– Chair Judd-Stein requested that this item be added under review. General Counsel Grossman confirmed that an Adjudicatory Hearing was scheduled for later in December, and the interim report was being discussed at an upcoming meeting

Item #25 – Request for Escrow RHDF – General Counsel Grossman confirmed the legal team was actively researching this this item and would report back soon as to when they would be able to discuss this issue.

Item #26 – Responsible Gaming – Commissioner Research Priorities – *Director Vander Linden requested that this item go forward at the December 1st meeting.*

Item # 27 – IT Solutions for Public Records Responses – *This item was moved to the November 22nd meeting agenda.*

Item #28 – ILEV Review Process – Chief Delaney requested that this item remain under review until the Licensees can provide their fourth quarter reports and give updates on their ILEV agreements.

Item #29 – Compliance Committee– Commissioner O’Brien requested that this item remain under review.

Item #30 – Succession of Officers and Positions – Commissioner O’Brien requested that this matter remain under review as well.

Having no further business, Commissioner O’Brien moved to adjourn. Commissioner Hill seconded.

Roll Call Vote:

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

The motion passed unanimously. Meeting adjourned.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting & Agenda, dated November 10, 2022

FUTURE SCHEDULED MEETING DATES:

November 30 – Agenda Setting
 December 1 – Public Meeting
 December 6,7,8 – Tentatively Held for Evaluation/Review of Category 1 Applications
 December 9 – Public Meeting

December 13,14,15 – Tentatively Held for Evaluation/Review of Category 3(tethered)
Applications

January 20 - Agenda Setting

January 26 – Public Meeting

February 1 - Agenda Setting



Massachusetts Gaming Commission Agenda Setting Meeting Minutes

Date/Time: November 30, 2022 – 10:00 a.m. EST

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID: 112 719 8114

Call to Order

Chair Judd-Stein called to order Agenda Setting Meeting #135 of the Massachusetts Gaming Commission (“Commission”).

Quorum was confirmed for the meeting by roll call. The following Commissioners were present for the meeting:

*Chair Cathy Judd-Stein
Commissioner Bradford R. Hill
Commissioner Nakisha Skinner
Commissioner Jordan Maynard*

Approval of Prior Agenda Setting Meeting Minutes

- a. November 2, 2022
- b. November 16, 2022

Chair Judd-Stein requested that these minutes be brought at the next Agenda Setting meeting, so that Commissioners have more time with both drafts.

Agenda Planning for Upcoming Commission Meetings

The Commission discussed the anticipated agendas for the upcoming meetings scheduled for December 1st, 9th, and additional meetings described in the attached agenda planning notice, as follows:

Items For Public Meeting – December 1, 2022 – 10:00 AM

Item #1 – Administrative Update – Executive Director Wells confirmed that an on-site casino update would be given by IEB Assistant Director Band.

Item #2 – Meeting Minutes – Commissioner Hill confirmed that Minutes would be on the agenda for the December 1st meeting.

Item #3 – Regulations – Deputy General Counsel Torrisi confirmed that the following regulations would go forward for finalization of the promulgation process at the December 1st meeting: 205 CMR 211: *Category 1, Category 2, and Category 3 Sports Wagering License Applications*; 205 CMR 202: *Sports Wagering Authority and Definitions*; 205 CMR 234: *Sports Wagering Vendors*; 205 CMR 240: *Adjusted Gross Sports Wagering and Adjusted Gross Fantasy Wagering Receipts Tax Remittance and Reporting*.

Item #4 – Responsible Gaming – Commissioner Research Priorities – Director Vander Linden confirmed that this item was ready to go forward at the December 1st meeting. He clarified that the presentation would take a discussion and roundtable format to learn the research areas Commissioners were interested in, and that a follow-up presentation that would occur at a later meeting with Commissioners.

Item #5 – IEB – Statewide Law Enforcement Agency under M.G.L. c. 23N § 11(c) – IEB Director Lillios confirmed that the IEB was ready for this presentation, and a vote by the Commission.

Add-on Item – IEB – Marketing Affiliates – Director Lillios also confirmed this item would go forward as a discussion, to inform later regulation promulgation by the IEB and the Legal Division.

Item #6 – Legal Division- Pontoon 21 – Associate Counsel Young confirmed that this item was ready to go forward at the December 1st meeting and that the IEB was also available to answer questions during the presentation. She also confirmed that the presentation would include draft regulation under 205 CMR 146.28; codifying the physical characteristics of the game.

Item #7 – Sports Wagering Update – Executive Director Wells confirmed that an update would occur on December 1st.

Add-on Item – Vacation Carryover Update – Human Resources Division – Chief People Officer Muldrew confirmed that a discussion and vote regarding the Vacation Carryover policy would occur on December 9th.

Items For Public Meeting – December 9th, 2022 – 12:00 PM

Item #8 – Administrative Update – This agenda item will not be presented, as both Executive Director Wells and Assistant Director Band have scheduling conflicts.

Item #9 – Meeting Minutes – General Counsel Grossman confirmed that the Legal Department would continue to provide minutes drafts to Secretary Hill for approval by the Commissioners.

Item #10 – Sports Wagering Regulations – General Counsel Grossman clarified the Legal Division would not bring forward regulations on December 9th.

Item # 11 – Suffolk Downs request for Simulcasting, ADW and premium free period for 2023 – Director of Racing, Dr. Lightbown, requested an agenda item for presentation of Suffolk Downs’ requests for approval of simulcasting signals and ADW by the Commission.

Add-On Item – Plainridge Park Racing and Raynham Racing – Simulcasting Request – General Counsel Grossman requested an add-on item for discussion of the simulcasting signals utilized by Plainridge Park Racing and vote by the Commission as well.

Item #12 – Responsible Gaming – Report on Scoping/Studies under 23N – Director Vander Linden requested an agenda item to review the two studies mandated by G.L. c. 23N. The first, discussing the impact of sports wagering on WBE and VBEs, the second will focus on the use and impacts of non-gaming kiosks.

Items Under Review for Future Meetings:

Add-on Item – East of Broadway Proposal – Chief Delaney requested that this item be brought forward at a public meeting in later December or January to discuss the related issues raised by the Commissioners, with some additional information provided by the Legal Division. Chief Delaney confirmed he will reach out to representatives from EBH and ask if they can provide any supporting documentation or information. Chair Judd-Stein requested a memorandum to assist Commissioners with their legal analysis and review of the proposal. Commissioner Maynard requested information on how much a referendum would cost, if necessary. General Counsel Grossman confirmed the memorandum and stated that they would see if the information requested could be provided to Commissioner Maynard.

Add-on Item – Petition to Remove Independent Monitor – General Counsel Grossman clarified that Adjudicatory hearing could go forward, likely in late January, due to some scheduling conflicts.

Add-on Item – Commissioner Update – Players Association [MLS, NBA, NFL, NHL, MLB] – Commissioner Hill requested a roundtable or meeting agenda item for the professional leagues’ Players Association and their members come before the commission to discuss their comments and concerns and give feedback on the regulations. Chair Judd-Stein inquired if a December meeting could accommodate this request. Ms. Beauchemin provided information regarding the length of the meeting and provided dates for Commissioners to select. *This agenda item was tentatively scheduled for Tuesday, December 20th at 10am and will be confirmed as the date draws nearer.*

Item #13 – Sports Wagering Vendor Regulation – Penalties Analysis – Chief Enforcement Counsel Hall requested that this item remain under review. Deputy General Counsel Monahan confirmed that this regulation would come before the Commission at the December 22nd meeting.

Item #14 – Responsible Gaming – Community Based Research – Director Vander Linden noted that this date was no longer optimal for the research team and requested that this item be moved under review until new date could be selected.

Item #15 – Request for Escrow RHDF – General Counsel Grossman confirmed the legal team was actively researching this this item and would report back soon as to when they would be able to discuss this issue. Dr. Lightbown and General Counsel Grossman agreed that this item would be put on a meeting agenda soon.

Item #16 – ILEV Review Process – Chief Delaney requested that this item remain under review until the Licensees could provide their fourth quarter reports and give updates on their ILEV agreements.

Item #17 – Special Projects – Annual Report Update – Special Projects Manager Beauchemin confirmed that progress was being made on the report, and that an update on the annual report could be given at the December 9th or 12th public meetings.

Having no further business, Commissioner Hill moved to adjourn. Commissioner Skinner seconded.

Roll Call Vote:

Commissioner Hill: Aye.

Commissioner Skinner Aye.

Commissioner Maynard Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously. Meeting adjourned.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting & Agenda, dated November 23, 2022

FUTURE SCHEDULED MEETING DATES:

December 6 – 8 (SW Application Review)
 December 13 – 14 (SW Application Review)
 December 15 (AM)
 December 15 (PM: SW Application Review)
 December 19 – 20 (SW Application Review)
 December 22
 January 3– 6 (SW Application Review)
 January 9– 11 (SW Application Review)
 January 12
 January 13 (SW Application Review)
 January 17 – 19 (SW Application Review)
 January 18 (*Regulations Only* 9 – 10AM)
 January 20 (Agenda Setting 9:30– 10:30AM)
 January 20 (11AM)
 January 26
 January 31

February 1 (Agenda Setting)
February 2
February 9