



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 public meeting of the **Massachusetts Gaming Commission**. The meeting will take place:

Thursday | April 6, 2023 | 11:00 a.m.

VIA REMOTE ACCESS: 1-646-741-5292

MEETING ID/ PARTICIPANT CODE: 112 020 7240

All meetings are streamed live at www.massgaming.com.

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.

All documents and presentations related to this agenda will be available for your review on the morning of the meeting date by visiting our website and clicking on the News header, under the Meeting Archives drop-down.

PUBLIC MEETING - #447

1. Call to Order – Cathy Judd-Stein, Chair
2. Minutes from Commission Agenda Setting Meetings **VOTE**
 - a. November 10, 2022
3. **Licensing – Karalyn O'Brien, Division Chief, Licensing, David MacKay, Supervisor, Licensing Division**
 - a. **Encore Boston Harbor Beverage License Amendment Request** **VOTE**
4. Sports Wagering – Bruce Band, Director of Sports Wagering, Sterl Carpenter, Operations Manager, Division of Sports Wagering
 - a. Approval of House Rules for WynnBET **VOTE**
 - b. Approval of House Rules for Caesars Sportsbook **VOTE**
 - c. Approval of House Rules for BetMGM **VOTE**
 - d. Approval of House Rules for MGM Springfield **VOTE**
 - e. Approval of New Events for the sports wagering catalog **VOTE**



Massachusetts Gaming Commission

5. Investigations and Enforcement Bureau – Loretta Lillios, Director of Investigations and Enforcement Bureau
 - a. Discussion Regarding Sports Wagering Related Suitability Investigation
 - I. Executive Session **VOTE**

The Commission is anticipated to meet in executive session in accordance with G.L. c.30A, §21(a)(7) and G.L. c. 4, §7(26)(f) to discuss investigatory materials related to the issuance of a sports wagering license necessarily compiled out of the public view by the IEB the disclosure of which materials would probably so prejudice the possibility of effective law enforcement that such disclosure would not be in the public interest. The public session of the Commission meeting will not reconvene at the conclusion of the executive session.
6. Commissioner Updates
7. Other Business - Reserved for matters the Chair did not reasonably anticipate at the time of posting.

I certify that this Notice was posted as “Massachusetts Gaming Commission Meeting” at www.massgaming.com and emailed to regs@sec.state.ma.us. Posted to Website: April 4, 2023 | 11:00 a.m. EST

April 4, 2023

Cathy Judd-Stein

Cathy Judd-Stein, Chair

If there are any questions pertaining to accessibility and/or further assistance is needed, please email Grace Robinson, Grace.Robinson@MassGaming.gov.



Massachusetts Gaming Commission



Division of Licensing

TO: Chair Cathy Judd-Stein
Commissioner Eileen O'Brien
Commissioner Bradford Hill
Commissioner Nakisha Skinner
Commissioner Jordan Maynard

FROM: David MacKay, Supervisor, Licensing Division

CC: Loretta Lillios, IEB Director
Kara O'Brien, Chief, Licensing Division

DATE: March 29, 2023

RE: Encore Boston Harbor's Application for Amendment of Gaming Beverage License

OVERVIEW

Encore Boston Harbor has applied for an amendment of its gaming beverage license to add a new venue (Medium Rare) that will replace Bru (Area 3-8 on EBH's initial Beverage License)

Under G.L. c. 23K, § 26, and 205 CMR 136.03 and 136.04, the Commission is authorized to amend the license for the sale and distribution of alcoholic beverages to be drunk on the premises of the gaming establishment.

The amendment application fee is set by regulation at \$100. See 205 CMR 136.05(2).

DISCUSSION

The Division of Licensing has reviewed the amendment application submitted by the licensee and has determined that it is complete and in conformance with all regulatory requirements.

The scope of the review also included:

- Confirming that the license area manager, or jointly responsible person, Chelsea Brewster, held a valid certification from a recognized alcoholic beverage server training program; this individual is properly licensed by the Commission and in good standing (RSER19-0148).
- Gaming Agents Division on-site Inspection - On 3/29/2023, Luis Lozano, Casino Regulatory Manager, conducted a walkthrough inspection of the license area stated within the amendment application to confirm the accuracy of the reported information. The inspection confirmed the licensed area's surveillance and security were in compliance and provided adequate coverage.



Division of Licensing

Additionally, the inspection confirmed the posting requirement under 205 CMR 136.07(5)(b) was met.

RECOMMENDATION OF THE LICENSING DIVISION

After reviewing the amendment application and performing the on-site inspection, the Licensing Division recommends that the Commission approve Encore Boston Harbor's amendment application to add Medium Rare as a new licensed area.



GAMING BEVERAGE LICENSE AMENDMENT APPLICATION FORM

REASON FOR FILING AMENDMENT REQUEST

NAME OF GAMING LICENSEE

ADDRESS OF GAMING ESTABLISHMENT

NAME OF CONTACT INDIVIDUAL FOR PURPOSES OF THE PROCESS

CONTACT INDIVIDUAL TELEPHONE NUMBER AND EMAIL ADDRESS

NAME AND LICENSE NUMBER OF LICENSED AREA YOU ARE REQUESTING TO AMEND

REASON FOR FILING AMENDMENT REQUEST (PLEASE CHECK THE APPLICABLE BOX)

- | | |
|------------------------------------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> NEW LICENSED AREA | <input type="checkbox"/> DESCRIPTION OF LICENSED AREA |
| <input type="checkbox"/> CHANGE IN CAPACITY | <input type="checkbox"/> ALCOHOL STORAGE |
| <input type="checkbox"/> JOINTLY RESPONSIBLE PERSON | <input type="checkbox"/> CHANGE OF HOURS |

FEE

The fee for an application to amend a gaming beverage license is **\$100.00**

LICENSED AREAS

A licensed area is a specific, limited, and defined space within a gaming establishment wherein the sale, distribution, or storage of alcoholic beverages to be drunk on the premises is permitted pursuant to a gaming beverage license. A licensed area amendment application must be submitted for each area of the gaming establishment that the gaming licensee desires to have designated as a licensed area and/or storage area.

A floor plan of the gaming establishment indicating the location of each licensed area identified below, and a diagram of each licensed area, must accompany the submission of this amendment application. If alcoholic beverages will be stored outside of a licensed area, storage areas must be identified on the floor plan.

IMPORTANT INFORMATION

The Massachusetts Public Records Law (Law), <http://www.sec.state.ma.us/pre/preidx.htm> found in Chapter 66, Section 10 of the Massachusetts General Laws, applies to records made or received by a Massachusetts governmental entity. Unless the requested records fall under an exemption to the Law, the responsive documents must be made available to the requester. A list of exemptions may be found in Chapter 4, Section 7(26) of the Massachusetts General Laws.

LICENSED AREA

NAME OF LICENSED AREA

DESCRIPTION OF AMENDED LICENSED AREA

DESCRIPTION OF THE AMENDED LICENSED AREA INCLUDING BUT NOT LIMITED TO: BUSINESS CONCEPT, DESCRIPTION OF AREA INCLUDING WHETHER THE AREA IS CLOSED OR OPEN SPACE, NUMBER AND LOCATION OF ALCOHOLIC BEVERAGE DISPENSING AREAS, AND PLACEMENT OF EXITS.

(NOTE: A FLOOR PLAN OF THE LICENSED AREA DEPICTING THESE INDIVIDUAL ELEMENTS SHALL BE ATTACHED).

NUMBER AND/OR COLOR OF AREA ON FLOOR PLAN:

HOURS OF OPERATION

CAPACITY OF LICENSE AREA

WILL YOU PROVIDE BOTTLE SERVICE? YES NO IF YES, PLEASE ELABORATE

ALCOHOL STORAGE

DESCRIBE THE MANNER IN WHICH ALCOHOLIC BEVERAGES WILL BE STORED AND SECURED WHEN LICENSED AREA IS NOT IN USE. (IF STORAGE AREA IS OUTSIDE OLF LICENSED AREA, THIS STORAGE AREA SHALL BE DEPICTED ON THE FLOOR PLAN).

NAME AND EMPLOYEE LICENSE/REGISTRATION NUMBER OF MANAGER OF LICENSED AREA

JOINTLY RESPONSIBLE PERSON

IDENTIFY THE JOINTLY RESPONSIBLE PERSON (IF ANY) FOR THE LICENSED AREA BY NAME, CONTACT INFORMATION, VENDOR LICENSE OR REGISTRATION NUMBER, AND ATTACH EVIDENCE THAT THE LICENSEE MAINTAINS AUTHORITY OVER THE JOINTLY RESPONSIBLE PERSON.

ATTESTATION

I _____, hereby affirm under the pains and penalties of perjury that the information contained in this application, including all attachments, is true and accurate to the best of my knowledge and understanding.



Signature

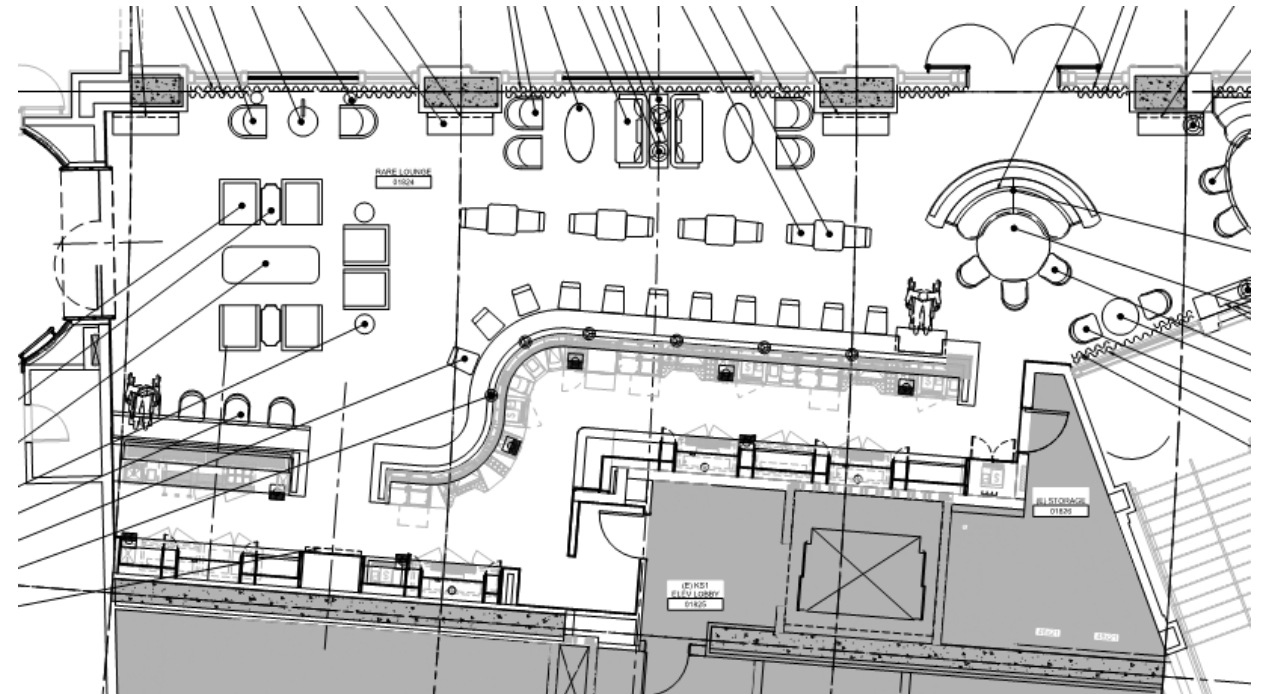
Print Name

Title

Date

MEDIUM RARE

- **BUSINESS CONCEPT:** Casual food and beverage lounge associated with Rare Steakhouse.
- **DESCRIPTION:** Casual lounge with small bites, raw bar and craft cocktails.
- **NORMAL HOURS OF OPERATION:** Sunday through Thursday, 4:00 p.m. -11:00 p.m.; Friday and Saturday, 4:00 p.m.- 12:00 a.m.
- **HOURS OF PERMITTED ALCOHOL SERVICE:** 8:00 a.m. - 2:00 a.m.
- **CAPACITY:** 135
- **ALCOHOL DISPENSING AREA:** Distributed at the bar by bartenders for guests at the bar; and distributed from the bar by servers to guests in the dining room.
- **BOTTLE SERVICE:** Yes – private events only.
- **STORAGE and SECURITY:** All beer, wine and liquor will be locked in the venue which has enclosed walls and a locked front door. All areas are under 24-hour camera surveillance.
- **MANAGER OF LICENSED AREA:** Chelsea Brewster, Executive Director of Restaurant and Beverage Operations (Gaming License Number:RSER19-0148)





Massachusetts Gaming Commission Meeting Minutes

Date/Time: November 10, 2022, 10:00 a.m.
Place: Massachusetts Gaming Commission

VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 111 720 3371

The Commission conducted this public meeting remotely utilizing collaboration technology. The 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
Commissioner Jordan Maynard

1. [Call to Order](#) (00:00)

Chief Administrative Officer to the Chair, and Special Projects Manager, Crystal Beauchemin reported that Chair Judd-Stein would be joining the meeting late, due to a scheduling conflict, and in the interim, Commissioner Jordan Maynard would chair the meeting in her absence.

Commissioner Maynard called to order the 400th Public Meeting of the Massachusetts Gaming Commission ("Commission"). Roll call attendance was conducted, and Commissioners O'Brien, Hill, Skinner, and Maynard were present for the beginning the meeting. Chair Judd-Stein was not present.

2. [Administrative Update](#) (5:05) a. MGC Vacation Carryover Policy

Executive Director Karen Wells introduced Chief People and Diversity Officer, David Muldrew. Chief Muldrew stated that the Commission was currently following the Commonwealth's Vacation Rollover Policy. He explained that there was a December cut-off date for Commission staff to use or lose unused time. He noted that there were not any MGC employees at risk of

losing their vacation or personal time. He stated that HR would continue to monitor this issue closely; and that the Commission may want to extend the December date until June of 2023.

Commissioner O'Brien asked what presumptions were being used to determine that no employees were at risk of losing time. Chief Muldrew stated that the projected use of vacation time was based on each employee's previous usage at this time of year.

Commissioner Skinner asked what the Commonwealth policy was on "use-it-or-lose-it" when it came to vacation days. Chief Muldrew stated he would need to review the amounts as he did not have the baseline available. Chief Financial and Accounting Officer ("CFAO") Derek Lennon explained that it had historically been two weeks, but it was extended in the previous year. He noted that personal time did not carry over.

b. [FY23 Q1 Budget Update](#) (9:58)

The *FY23 Q1 Budget Update* was included in the Commissioner's Packet on pages 4 through 13.

CFAO Lennon stated that the Commission had approved a FY23 budget of \$35.7 million, consisting of \$29.34 million in regulatory costs and \$6.36 million in statutorily required costs. He stated that the Control Fund requested an initial assessment of \$29.3 million on the Gaming Licensees, with a balance forward of \$1.84 million from FY22 which corrected an overstatement of revenues related to the Independent Monitor for \$1.2 million. He noted that the assessment had been reduced by \$638,000 to \$29.88 million.

CFAO Lennon stated that from March through May, the Commission overwent a thorough review of its salary structure, but the adjustments went into effect in late June 2022, prior to the start of FY23.

3. [Research and Responsible Gaming](#) (15:13)

a. Report: New Employee Survey at Encore Boston Harbor: January 2019 through December 2021

Director of Research and Responsible Gaming Mark Vander Linden introduced Rebecca Loveland and Kazmiera Breest from the UMASS Donahue Institute. Ms. Loveland and Ms. Breest presented on the New Employee Survey at Encore Boston Harbor ("EBH"), topics included new hire demographics, new hire opportunities, and new hire diversity. The *New Employee Survey at Encore Boston Harbor: January 2019 through December 2021* and accompanying presentation were included in the Commissioner's Packet on pages 14 through 105.

Commissioner Hill asked if the numbers regarding female worker diversity were increasing with the reintroduction of food services after Covid-19. Ms. Loveland explained that a report released the prior year looked into the impact from Covid-19 on the employment industry, and that there was a follow-up process regarding the recovery from pandemic shutdowns.

Commissioner Skinner asked how far the employment numbers were from the original goals of the casinos. Ms. Loveland stated that the numbers of employees were dramatically impacted by Covid-19 shutdowns, and that while there had been recovery, the employment rates had yet to reach pre-pandemic levels.

Ms. Loveland stated that the analysis of total hiring from January 2019 through December 2021 showed that 64% of hires were minorities, and that the survey expected 65%. She noted that all of the casinos exceeded their minority hiring goals and met their veteran hiring goals, but that all casinos fell short when hiring women according to the Commission's annual report.

Commissioner O'Brien sought a breakdown of hiring representation for management opportunities. Ms. Breest stated that the data did distinguish hourly paid positions and salary positions. Commissioner O'Brien stated that the statistic that more employees wanted full time employment had jumped out to her. Director Vander Linden stated that he believed addressing this concern was the intention of the follow-up report.

Commissioner Maynard shared Commissioner O'Brien's concerns about gender balance but noted that there were positive patterns within the survey, such as the employees believing they had better job opportunities and job mobility.

4. [Community Affairs](#) (51:57)

a. Plainridge Park Casino Quarterly Report - Q3

Chief of the Community Affairs Division, Joe Delaney, introduced General Manager at Plainridge Park Casino ("PPC") North Grounsell; Vice President of Finance, Heidi Yates-Akbaba; and Vice President of Human Resources, Kathy Lucas.

Ms. Yates-Ababa, Mr. Grounsell, and Ms. Lucas presented the PPC Q3 quarterly report. Topics included: gaming revenue and taxes, lottery sales, spending by state, local spending, vendor diversity, compliance, employment diversity, and the community and team. The *PPC Q3 Report* was included in the Commissioner's packet on pages 106 through 117.

On the subject of minors accessing the gaming floor, Commissioner O'Brien asked what the shortest and longest times a minor had spent gaming or on the floor. Mr. Grounsell stated that the shortest time period was nine minutes and fifty seconds, and that the longest was several hours. Commissioner O'Brien asked if the longer period was due to the minor gaining entry with an invalid or fake ID. Mr. Grounsell stated that he would need to read the report in more detail but recalled that the minors were ultimately identified by a team-member on the gaming floor.

Commissioner Skinner sought clarification about the number of spots available on the emerging leaders program. Ms. Lucas stated that there were eight team members in the program and that five identified as women. Commissioner Skinner asked if they would enter supervisor positions or higher. Ms. Lucas clarified that all members in the program were hourly and would be able to apply for assistant manager and manager positions that were salaried. Commissioners thanked representatives from PPC for their report.

b. [Finalization of Community Mitigation Fund Guidelines](#) (1:08:31)

Continuing on his presentation, Chief Delaney requested that the Commission vote to approve the final Community Mitigation Fund Guidelines. He stated that once the guidelines were approved, they could be used for the solicitation of projects at the end of January 2023. He stated that at the October 20th public meeting, the Commission reviewed the draft guidelines, and since then, comments have been received from the public.

Chief Delaney explained that the City of Malden had suggested edits related to the language regarding host and surrounding community agreements. Chief Delaney did not propose any changes to the guidelines, as the existing language had been in place since the program started and prevented communities from double-dipping in both the Community Mitigation Funds and the Host and Community Agreements.

Chief Delaney stated that the City of Malden also had concerns about the Community Planning Grant. He explained that the Guidelines had been changed in the prior year to make it easier to apply in the Community Planning grant section, as some impacts from casinos were not necessarily quantifiable. He stated that an impact need not be documented if it was agreed that there was an impact. He clarified however that the community must still identify what the impact was, and how the project addresses the impact.

Chief Delaney presented the third comment by the City of Malden; suggesting an edit that the Commission “shall” move applications if the Town or City applied under the wrong category. He stated that the existing language was intended to give the Commission flexibility to re-assign a grant application to a different category if it deemed it pertinent, but was not a mandate. He noted that City of Malden also suggested the Commission work with the Massachusetts Department of Transportation regarding the traffic studies but explained that all transportation projects were already sent to MassDOT for their review.

Chief Delaney stated that several emails were received in support of the Gambling Harm Reduction Grant that had been proposed. He explained that communities had to be the recipient of the fund, but partnerships between municipal partners and community-based organizations were encouraged.

Commissioner Hill moved that the Commission approve the 2023 Community Mitigation Fund Guidelines as included in the Commissioner’s Packet and as discussed today. The motion was seconded by Commissioner Skinner.

Roll call vote:

Commissioner O’Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

The motion passed unanimously, 4-0.

5. [MGC Semi-Annual Diversity Update](#) (1:19:55)

Chief People and Diversity Officer David Muldrew reported the annual diversity update to the Commission. He stated that in 2017, the Commission had set a diversity staffing goal of 25%. He stated that as of October 31, 2022, the Commission had achieved 24.99% diversity amongst its employees. He noted that this percentage was higher than Massachusetts' 23% diversity population, but lower than the Greater Boston Area's 42% diversity population. The *Commission Diversity Efforts Update Report* was included in the Commissioner's Packet on pages 133 through 136.

Chief Muldrew stated that the Commission had seen a reduction of female staff to 46.43% in October of 2022, and that the Executive Office of Labor and Workforce Development put out a study related to the adverse effects of Covid-19 on women in the workplace. He explained that business structure, diminished childcare options, and the closure of schools during the pandemic caused a disproportionate impact on female workers in Massachusetts.

Chief Muldrew stated that Chair Judd-Stein had created the Commission Equity and Inclusion Working Group in 2020, and that the group ensured that the Commission continues to promote diversity development and growth.

Transcriber's note: Chair Cathy Judd-Stein joined the meeting, and resumed duties, after first thanking Commissioner Maynard for standing in.

On the subject of Licensees, Chief Muldrew explained that in 2021, EBH relaunched its vendor advisory team, and that MGM Springfield ("MGM") was also in discussions to relaunch their own vendor diversity team. He noted that in Spring 2022, the Commission had hired a Chief People and Diversity Officer, whose sole responsibility was the oversight of HR operations and overseeing diversity, equity and inclusion for Commission staff and vendors. He stated that the Commission created also created a new role in HR for diversity, equity, and inclusion.

Chief Muldrew then introduced Finance and Budget Office Manager, John Scully, to present on diversity in vendor payments. Mr. Scully stated that the Commission works with the Supplier Diversity Office ("SDO"), a state agency, and that the numbers included in the report were from the SDO diversity platform. He stated that the FY23 numbers were not yet ready to present and clarified that the numbers in the packet were from FY22.

Commissioner Skinner requested that the diversity categories be broken down in order for the Commission to have better understanding in terms of meeting their goal. She also requested if Mr. Scully could provide raw numbers, instead of percentages. She also expressed an interest in the Equity and Inclusion Working Group to resume meeting, as the last meeting was in June.

Chief Muldrew stated that a Strategic Diversity Initiative Plan was being developed for internal training, posting positions, and creating culture. Chair Judd-Stein asked what the diversity spend was as a percentage of overall spending. Mr. Scully replied that benchmarks existed for FY21 and FY22, and he would have to calculate the exact number. He reported that the Commission was close to the benchmark for both minority and women owned business enterprise spending.

CFAO Lennon stated that the Commission had joined programs such as Pacesetters and LEAF and was working with Vericloud on increasing its diversity spend. He noted that diversity scoring requirements had increased to 25% for all procurements. Chair Judd-Stein added that in September, the Commission had voted to adopt each of the five action items recommended by the Equity and Inclusion Working Group developed during the June 2022 meeting.

6. [Licensing Division](#) (1:45:17)

a. Employee Exemption Request

Chair Judd-Stein introduced Chief of the Licensing Division, Kara O'Brien. Chief O'Brien explained that MGM had requested an exemption from the casino employee registration process and introduced Licensing Supervisor, Dave Mackey to present MGM's materials for consideration. The *Gaming Service Employee Exemption Request* was included in the Commissioner's Packet on pages 137 through 139.

Attorney Mackey explained that the request was being made under statutory provisions that authorized the Commission to exempt certain job positions from registration requirements within Chapter 23K and 205 CMR. He stated that the position being discussed was the Lead Technician for sound and video at MGM. Mr. Mackey noted that MGM responded "no" to all criteria identified in the gaming licensee certification as it related to this position, and added that the position was a promotional position from an existing approved exemption under the same department.

Commissioner Skinner moved that the Commission exempt the lead technician sound and video position from the service registration requirements as discussed here today. The motion was seconded by Commissioner O'Brien.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

7. [Legal Division: Regulations](#) (1:50:52)

a. 205 CMR 2.01 – Application for License to Conduct a Racing Meeting by a New Operator; and Amended Small Business Impact Statement

General Counsel Todd Grossman introduced Associate General Counsel Judith Young. Associate General Counsel Young stated that a public hearing on 205 CMR 2.01 was heard earlier this morning, November 10, 2022, and that Commissioner Skinner had presided over that hearing. Associate General Counsel Young stated that while no public comments were received at the hearing, the Commission had received a substantive written public comment prior to the start of the hearing. She stated that the Commission and Legal Division would need time to

review the comment prior to discussing the regulation, and sought leave to review the comment. The Commissioners unanimously agreed to discuss the regulation at a future meeting.

b. [Repeal of 205 CMR 103](#): Access to and Confidentiality of Commission Records and Review of Comments Received (1:53:15)

Deputy General Counsel Carrie Torrisi explained that in June 2022, the Commission had voted to begin the regulation promulgation process to repeal 205 CMR 103 and voted in July to amend 205 CMR 102 and 205 CMR 115.04 to remove cross references to 205 CMR 103. She explained that 205 CMR 103 was largely duplicative of the public records law; and also conflicted with it in some instances.

Deputy General Counsel Torrisi stated that the Commission had received a written comment jointly from EBH and MGM opposed to the repeal of 205 CMR 103. She stated that the comments argued that eliminating the regulation terminated notice requirements related to requests received for highly sensitive information. Deputy General Counsel Torrisi stated that highly sensitive information was protected through the NDA, and that the notice requirement was not terminated, as notice was still required under the NDA. She stated that the appropriate avenue to protect trade secrets, competitively sensitive information, or proprietary information was for licensees to request it be covered by the NDA. The *public comment* was included in the Commissioner's Packet on pages 177 through 184.

Deputy General Counsel Torrisi stated that the public comment had requested an expansion of the types of information covered by the NDA, but noted that the requests were outside of the scope of the repeal of the regulation, and would have to be revisited at a later date.

Chair Judd-Stein noted that the exception to public records requests regarding trade secrets was tied to the application process and was never intended to be ongoing under General Law Chapter 23K. Deputy General Counsel Torrisi agreed and clarified that she was referring to the statutory exemption, which was tied to the application process and the investigation was tied to the NDA.

Commissioner O'Brien moved that the Commission approve the Amended Small Business Impact Statement and the repeal of 205 CMR 103, and the drafts of 205 CMR 102.02 and 205 CMR 115.04 included in the Commissioner's Packet and as discussed 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. The motion was seconded by Commissioner Skinner.

Commissioner O'Brien asked for clarification if an emergency motion should be filed for this regulation. Deputy General Counsel Torrisi stated that the repeal of this regulation was at the end of the process and that the repeal would go into effect in early December.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.
Chair Judd-Stein: Aye.
The motion passed unanimously, 5-0.

i. [Amendments to Policy Governing Information Provided](#) in Response to Request for Applications – Phase 1 & Phase 2 (2:05:56)

Deputy General Counsel Torrissi stated that three sections within the repealed 205 CMR 103 were taken out, and amended for the Commission to adopt as policy. She explained that the provisions had previously been adopted as policy, however they needed to be amended to remove citations and references to 205 CMR 103 and the processes established by 205 CMR 103.

Commissioner Skinner moved that the Commission adopt the amendments to the policy governing information provided in response to requests for applications Phase 1 and Phase 2, and the Security Protocols and Restricted Access Policy as included in the packet and discussed here today. The motion was seconded by Commissioner Maynard.

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

c. [Sports Wagering Operator Licensing Framework](#) (2:07:36)

Deputy General Counsel Torrissi stated that the sports wagering operator licensing framework was discussed at length at the October 27, 2022, public meeting, and that it was being presented with edits suggested at that meeting. She explained that 205 CMR 212 was related to the continuing duty of applicants to provide information to the Commission; that 205 CMR 214 was related to the application and investigation fees; that 205 CMR 215 was related to suitability determination standards and procedures; that 205 CMR 219 was related to temporary licensing procedures; that 205 CMR 220 was related to license conditions; and that 205 CMR 221 was related to licensing fees.

i. [205 CMR 212](#): Additional Information Requested of Applicants and Continuing Duty and Amended Small Business Impact (2:10:04)

Deputy General Counsel Torrissi introduced attorneys Mina Makarious and Paul Kominers from the law firm Anderson and Krieger. Mr. Makarious stated that 205 CMR 212 only had a single change to its language, as “applicant” was a broader term than “sports wagering applicant”. The *draft 205 CMR 212* was included in the Commissioner’s Packet on pages 189 through 195.

ii. [205 CMR 214](#): Application and Investigation Fees and Amended Small Business Impact Statement for possible emergency adoption (2:11:22)

Mr. Makarios stated that there were no changes to 205 CMR 214 based on prior discussions. He stated that the application fee provision was prepared in close coordination with the Commission's Finance Division and the Investigations and Enforcement Bureau ("IEB"). The *draft 205 CMR 214* was included in the Commissioner's Packet on pages 196 through 199.

iii. [205 CMR 215](#): Suitability Determinations, Standards, and Procedures and Amended Small Business Impact Statement (2:12:11)

Mr. Makarios explained that the language of 205 CMR 215 had been reorganized and clarified regarding when the suitability determination would occur. He stated that durable suitability would be found during an adjudicatory proceeding to protect confidentiality, and that preliminary suitability would take place as part of the licensing deliberation in open meeting, as part of 205 CMR 218. The *draft 205 CMR 215* was included in the Commissioner's Packet on pages 207 through 216.

Commissioner O'Brien asked if the language could be changed to allow the Commission flexibility during the preliminary suitability discussion. Mr. Makarios stated that one way to address this issue was that the Commission could take some of the preliminary suitability discussion into an adjudicatory process, or an executive session where appropriate. Commissioner O'Brien stated that some of the topics discussed would not meet the criteria available to enter an executive session.

Chair Judd-Stein expressed an interest in being able to ask relevant questions during the process, and inquired whether privacy concerns would preclude that. IEB Director Loretta Lillios explained that for category one applicants, the Commission would have a summary of status, but category three applications would be reliant upon self-disclosures and open-source information.

Chair Judd-Stein explained that the preliminary suitability determination would occur after the competitive process. She stated that the process with casino licensing required everything be discussed in the open at a public meeting, and that privacy should not bar the Commission from asking questions. Mr. Makarios confirmed that the preliminary suitability would occur in public meetings similar to the casino process.

Commissioner O'Brien expressed that she did not see a downside in allowing the flexibility of changing the language within the regulation to "may" rather than "shall". The Commission reached a consensus in support of Commissioner O'Brien's edit.

iv. [205 CMR 219](#) - Temporary Licensing Procedures and Amended Small Business Impact Statement (2:28:11)

Mr. Makarios stated that the temporary licensure regulation was changed to add a three-year limit, with the option of two additional years if a request was made - and subsequently approved by the Commission. He stated that if a temporary license was renewed for the additional years, it required that another one-million-dollar fee be paid, in order to be more competitively equitable.

The *draft 205 CMR 219.00* was included in the Commissioner's Packet on pages 217 through 219.

Director Lillios stated that it was the intention of the IEB to complete full investigations as quickly as possible. Chair Judd-Stein expressed support for the additional one-million dollar payment, as longer suitability checks required more resources. Executive Director Wells stated that the IEB was in a good position to complete investigations according to the timeline, but there was the complicated factor of potential mergers and acquisitions as time went on. Commissioner O'Brien stated that she understood investigations could be complex, but it is an imperative that suitability be resolved as quickly as possible.

Commissioner Skinner sought clarification regarding the twenty-one month date mentioned in the statute. Mr. Makarios stated that the request to extend the temporary license would have to occur in the last quarter of the second year of temporary licensure. Commissioner Skinner stated that the language should clarify the request needs to occur between twenty-one and twenty-four months. Mr. Kominers suggested commas to help clarify and Mr. Makarios suggested further edits to the language.

v. [205 CMR 220](#) - License Conditions and Amended Small Business Impact Statement for possible emergency adoption (2:42:50)

Mr. Makarios stated that specific language was added to 205 CMR 220 to clarify that licensees must have their operator's certificate before they can operate. He stated that the remainder of the changes were to remove language regarding the temporary licensing conditions to put them in 205 CMR 219. The *draft 205 CMR 220* was included in the Commissioner's Packet on pages 220 through 222.

vi. [205 CMR 221](#) - Licensing Fees and Amended Small Business Impact Statement for possible emergency adoption

Attorney Makarios stated that the only changes to 205 CMR 221 were to reflect the one-million-dollar renewal payment discussed in 205 CMR 219. He noted that Anderson and Krieger were working with the Legal Division to update 205 CMR 202, and that references to the 205 CMR 202 language would be added.

Commissioner Skinner noted that the language in 205 CMR 221 regarding the payment of the temporary license renewal fee was not consistent with the language in 205 CMR 219.046. Mr. Makarios stated that changes would be made to mimic the language present in 205 CMR 219 to avoid any confusion.

Commissioner Hill moved that the Commission approve the Small Business Impact Statement and the draft 205 CMR 212 as included in the Commissioner's Packet and discussed here today. The motion was seconded by Commissioner Skinner.

Roll call vote:

Commissioner O'Brien: Aye.
Commissioner Hill: Aye.
Commissioner Skinner: Aye.
Commissioner Maynard: Aye.
Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Hill further moved that staff be authorized to take the steps necessary to file the required documentation with the Secretary of the Commonwealth by emergency and thereafter to begin the regulation promulgation process, and further that staff be authorized to modify chapter or section numbers or titles to file the regulation sections as reserved or to make any other administrative changes as necessary to execute the regulation promulgation process. The motion was seconded by Commissioner Maynard

Roll call vote:

Commissioner O'Brien: Aye.
Commissioner Hill: Aye.
Commissioner Skinner: Aye.
Commissioner Maynard: Aye.
Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Hill moved that the Commission approve the Small Business Impact Statement and the draft 205 CMR 214 as included in the Commissioner's Packet and discussed here today. The motion was seconded by Commissioner Skinner.

Roll call vote:

Commissioner O'Brien: Aye.
Commissioner Hill: Aye.
Commissioner Skinner: Aye.
Commissioner Maynard: Aye.
Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Hill moved that staff be authorized to take the steps necessary to file the required documentation with the Secretary of the Commonwealth by emergency and thereafter to begin the regulation promulgation process, and further that staff be authorized to modify chapter or section numbers or titles to file the regulation sections as reserved or to make any other administrative changes as necessary to execute the regulation promulgation process. The motion was seconded by Commissioner Maynard.

Roll call vote:

Commissioner O'Brien: Aye.
Commissioner Hill: Aye.
Commissioner Skinner: Aye.
Commissioner Maynard: Aye.

*Chair Judd-Stein: Aye.
The motion passed unanimously, 5-0.*

Commissioner Hill moved that the Commission approve the Small Business Impact Statement and the draft 205 CMR 215 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.
Commissioner Maynard: Aye.
Chair Judd-Stein: Aye.
The motion passed unanimously, 5-0.*

Commissioner Hill moved that staff be authorized to take the steps necessary to file the required documentation with the Secretary of the Commonwealth by emergency and thereafter to begin the regulation promulgation process, and further that staff be authorized to modify chapter or section numbers or titles to file the regulation sections as reserved or to make any other administrative changes as necessary to execute the regulation promulgation process. The motion was seconded by Commissioner Maynard.

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

Commissioner Hill moved that the Commission approve the Small Business Impact Statement and the draft 205 CMR 219 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.
Commissioner Maynard: Aye.
Chair Judd-Stein: Aye.
The motion passed unanimously, 5-0.*

Commissioner Hill moved that staff be authorized to take the steps necessary to file the required documentation with the Secretary of the Commonwealth by emergency and thereafter to begin the regulation promulgation process, and further that staff be authorized to modify chapter or section numbers or titles to file the regulation sections as reserved or to make any other

administrative changes as necessary to execute the regulation promulgation process. The motion was seconded by Commissioner Maynard.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Hill moved that the Commission approve the Small Business Impact Statement and the draft 205 CMR 220 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.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Hill moved that staff be authorized to take the steps necessary to file the required documentation with the Secretary of the Commonwealth by emergency and thereafter to begin the regulation promulgation process, and further that staff be authorized to modify chapter or section numbers or titles to file the regulation sections as reserved or to make any other administrative changes as necessary to execute the regulation promulgation process. The motion was seconded by Commissioner Maynard.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Hill moved that the Commission approve the Small Business Impact Statement and the draft 205 CMR 221 as included in the Commissioner's Packet and discussed here today. The motion was seconded by Commissioner Skinner.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.
Chair Judd-Stein: Aye.
The motion passed unanimously, 5-0.

Commissioner Hill moved that staff be authorized to take the steps necessary to file the required documentation with the Secretary of the Commonwealth by emergency and thereafter to begin the regulation promulgation process, and further that staff be authorized to modify chapter or section numbers or titles to file the regulation sections as reserved or to make any other administrative changes as necessary to execute the regulation promulgation process. The motion was seconded by Commissioner Maynard.

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

- d. [Additional Sports Wagering Regulations](#) (3:37:58)
i. 205 CMR 244.06: Independent Test Labs and Amended Small Business Impact Statement

Deputy General Counsel Torrisi stated that on September 8, 2022, the Commission voted to promulgate this regulation by emergency, and that a public hearing was held on November 9, 2022, presided over by Commissioner O'Brien. She stated that no public comments or written comments were received. She stated that one change made by the Legal Department proposed to clarify sports wagering equipment, rather than devices. The *draft 205 CMR 244.06* was included in the Commissioner's Packet on pages 241 through 244.

Commissioner Maynard inquired if the term "equipment" included devices. Deputy General Counsel Torrisi explained that sports wagering equipment was the terminology being used in other regulations, but explained was not yet included in the Definitions that would be within 202.00. She explained that the change was to ensure consistency amongst the regulations.

With that, Commissioner Skinner moved that the Commission approve the Amended Small Business Impact Statement and the draft of 205 CMR 244.06 as included 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 with the Secretary of the Commonwealth to finalize the regulation promulgation process. The motion was seconded by Commissioner Hill.

Roll call vote:
Commissioner O'Brien: Aye.
Commissioner Hill: Aye.
Commissioner Skinner: Aye.
Commissioner Maynard: Aye.

Chair Judd-Stein: *Aye.*
The motion passed unanimously, 5-0.

ii. [Draft 205 CMR 233](#): Voluntary Self- Exclusion for initial review and possible emergency adoption (3:41:27)

Associate General Counsel Judith Young provided an overview of 205 CMR 233 related to voluntary self-exclusion and 205 CMR 250, related to the protection of minors and underage youth. The *draft 205 CMR 233* was included in the Commissioner’s Packet on pages 248 through 252.

Attorney David Mackey from Anderson and Krieger stated that the regulation largely mirrors and tracks the voluntary self-exclusion (“VSE”) regulations relative to casino gaming and gambling. He stated that there would be separate VSE lists for sports wagering and casino gaming. He explained that there was an additional provision that would require operators to submit written policies for their compliance with the VSE program which would be reviewed by the Commission on an annual basis.

Commissioner Skinner asked whether the technology was available to update the VSE list on a regular basis. Director of Research and Responsible Gaming Mark Vander Linden stated that the technology existed, and an enrollment session available at existing casinos and across digital platforms. Commissioner Skinner asked if GLI was consulted on this regulation. Director Vander Linden confirmed that GLI had been part of the drafting discussions. He explained that enrollment in VSE required the patron to speak to either in-person or remotely to a Designated Agent, who would forward their information to the Commission to be entered into a central database.

Attorney Annie Lee with Anderson and Krieger stated that the team researched other jurisdictions when drafting the regulations. She explained that other jurisdictions put the onus on the sports wagering operator to know what technology was available on the consumer end, rather than the patron, as operators were in the best position to know about the technology available.

Chair Judd-Stein inquired whether a patron enrolled in the VSE list from a mobile sports wagering application could still enter a casino for retail sports wagering or casino gaming. Director Vander Linden stated that the VSE list for retail sports wagering and online sports wagering would be the same list, and that operators were not precluded from applying one self-exclusion list to both casino gaming and sports wagering.

Ms. Lee stated that it might be hard to distinguish between a retail sports wagering VSE and mobile sports wagering VSE, and explained that the language had been revised to reflect that operators may refuse entry for both the gaming establishment and sports wagering facility.

Director Vander Linden stated the policy was similar to Commonwealth-based casinos maintaining their VSE lists for all of their gaming properties, including casinos in other jurisdictions. Mr. Mackey stated that applicants for the VSE list must make a clear

acknowledgement within the attestation section that they understand being on the VSE may result in them being excluded from the gaming establishment.

Commissioner Maynard stated that there was a comment at the Responsible Gaming Roundtable that individuals on the VSE are often not intercepted until they win. Director Vander Linden stated that the standard within 133 and 233 was that no individual on the VSE list shall derive any winnings from gaming or sports wagering, respectively. Commissioner Maynard asked if there was language about the operators forfeiting any accepted bets from patrons enrolled on the VSE list. Director Vander Linden stated that security cameras were occasionally used to determine the amount wagered by individuals on the VSE list once they were identified, and that amount is then returned to the Commission as licensees cannot profit from someone on the VSE list. Assistant Director of the IEB, Bruce Band added that Sports Wagering Operators agree to monitor the amount bet via video, and return any funds acquired from those on the VSE list.

Ms. Lee added that language was included in the statute for individuals to contest how much money was forfeited by requesting a hearing within fifteen days of forfeiture. Chair Judd-Stein asked if individuals on the VSE list would be able to place a mobile bet from their phone, and inquired whether there was an automatic block for such activities. Ms. Lee stated that those on the VSE list will be blocked from creating accounts with the mobile Sports Wagering Operators, or accessing their existing accounts.

Chair Judd-Stein asked for additional details for how the process would work for existing accounts. Director Vander Linden stated that the Commission would receive notification of VSE enrollment through the online system, review it, and then add the details to the state-wide VSE list. He stated the operators would then close the accounts.

iii. [Draft 205 CMR 250](#): Protection of Minors and Underage Youth and Small Business Impact Statement (4:12:07)

Ms. Lee provided an overview that 205 CMR 250 required Sports Wagering Operators to submit a written policy for preventing minors and underage youth from sports wagering with an annual review. She added that Operators could submit a policy for approval to the Commission outside of the annual review, if the Commission was preferable. She added that marketing and advertising guidelines pertaining to minors and underage youth would be presented in another regulation. The *draft 205 CMR 250* was included in the Commissioner's Packet on pages 253 through 255.

Commissioner O'Brien requested that the sports wagering area be more clearly defined, especially with PPC where horseracing allows betting by those eighteen and up; as opposed to sports wagering requirement of twenty-one. Ms. Lee stated that the regulation was broad enough to prevent those operating sports racing facilities from installing a sports wagering kiosk in an area where minors would have access.

Commissioner O'Brien expressed concern that the areas for horseracing and sports wagering may overlap. Mr. Mackey stated that there could be an obligation on the operator to distinguish between those under the age of twenty-one and prevent them from using sports wagering kiosks.

Commissioner O'Brien explained that her concern was with the physical layout of the spaces, and stated she was not comfortable with having employees monitor of the kiosks as the only safeguard.

Chair Judd-Stein asked how PPC managed the area currently. Executive Director Wells stated that PPC had a security checkpoint between the casino and horseracing areas. Assistant Director Band stated that he is working with the casinos regarding their plans and setup, and that the layout will be presented to the Commission for a review of the kiosk placement. Commissioner Hill stated that other jurisdictions used different kiosks for simulcasting and sports betting. Commissioner O'Brien noted that in her estimation, technology did not exist for a kiosk to ensure the person placing a bet is over the age of twenty-one. She requested additional information about kiosk placement before voting on this regulation.

Assistant Director Band stated that the area where sports wagering kiosks were would have to be cordoned off and have a security guard to check identifications. Chief Information Officer ("CIO") Katrina Jagroop-Gomes agreed with Assistant Director Band's assessment.

Chair Judd-Stein stated that other jurisdictions found monitoring kiosks to be challenging. CIO Jagroop-Gomes stated that all concerns are valid, and agreed with Assistant Director Band and Commissioner O'Brien that the only way to validate patrons was to check identification at kiosks. However, she noted that minors and underage youth were more likely to attempt to use mobile sports wagering rather than in-person sports wagering based upon data from other jurisdictions. Mr. Mackey suggested language that kiosks cannot be in an area accessible by those who are underage, that there must be a physical barrier, and that Sports Wagering Operators should describe how to keep these groups excluded in the policies and procedures submitted for approval

Commissioner O'Brien stated that PPC would have to figure out the locations of kiosks where eighteen year olds could not enter, and stated that she would prefer to have the language presented next week. Commissioner Hill expressed his preference for adding the language during this meeting. Commissioner Maynard stated he agreed with Commissioner O'Brien, but would like to move the regulation forward if the edits could be presented during this meeting. Commissioner Skinner stated that she trusted Commissioner O'Brien's expertise in the public safety realm and would only move forward if Commissioner O'Brien was comfortable with the language.

Chair Judd-Stein stated that there were mitigating factors such as the operator's requirement to present plans to the Commission, and stated that language could be added about surveillance and identification checks. Commissioner O'Brien stated that PPC had previously expressed interest in having sports wagering kiosks in the horseracing area and expressed an interest in receiving comments from PPC and prospective category two applicants.

Deputy General Counsel Torrisi stated that waiting one week for comment would not cause problems with the promulgation timeline. Chair Judd-Stein asked if the language could be drafted by the end of the meeting. Mr. Mackey stated that he would need some time to dictate the language. Commissioners agreed to revisit this regulation after Attorney Mackey returned.

iv. [Draft 205 CMR 235](#): Sports Wagering Occupational Licenses and Small Business Impact Statement for initial review and possible emergency adoption (4:42:52)

Deputy General Counsel Caitlin Monahan explained that this regulation carried out the mandate to issue occupational licensed found in General Law Chapter 23N § 8. She stated that the regulation largely mirrored 205 CMR 234 related to vendor licensing that had already been reviewed and approved by the Commission. She stated that the Legal Division was working with GLI to update the list of positions requiring licensure and therefore a vote was not requested for this meeting. The *draft 205 CMR 235* was included in the Commissioner's Packet on pages 260 through 268.

v. [Draft 205 CMR 105](#): Investigations and Enforcement Bureau and Small Business Impact Statement for initial review and possible emergency adoption (4:50:59)

Deputy General Counsel Monahan provided an overview of the draft of 205 CMR 105; explaining that it was the regulation that sets forth the duties and responsibilities of the IEB. She noted that the amendments were to reflect the new responsibilities the IEB had in relation to sports wagering. Commissioners had no questions for the draft that Ms. Monahan presented.

Draft 205 CMR 250: Protection of Minors and Underage Youth and Small Business Impact Statement (Continued)

After concluding the discussion for 205 CMR 105, Commissioners revisited 205 CMR 250. Attorney Mackey stated that he had revised 205 CMR 250 to include language that minors and underage youth shall not enter a sports wagering area, sports wagering facility, or place a bet on a sports wagering kiosks. Mr. Grounsell, General Manager at PPC, stated that PPC no longer intended to put kiosks within the horseracing area. Chair Judd-Stein asked whether the plan PPC would submit would reflect that decision. Mr. Grounsell confirmed that was correct. Commissioner O'Brien stated that this measure did not fully alleviate her concerns with the regulation, as it did not eliminate the possibility of a future decision by PPC or by another horseracing licensee and asked that the regulation address the issue.

Commissioner O'Brien further inquired whether it would be sanctionable if kiosks were not separately walled off, and a person under twenty-one shielded their age or avoided verification. Director Lillios stated that it would be dependent upon the facts, but that if the underage person used ingenuity in bypassing security, it could impact the Commission's ability to succeed at enforcement measures. Mr. Mackey stated that under the casino gaming regulations, the standard was "knowingly" allowing an underage person to gamble.

Commissioner Maynard agreed that there was a public safety risk regarding this issue, but stated that there was also a public safety risk in not getting the sports wagering framework and legal

operators running in a timely manner, as it could encourage unlawful wagering. Commissioners engaged in discussion for the timing of 205 CMR 235 and 205 CMR 250, and the benefits of waiting a week to receive additional comments. Commissioners ultimately reached consensus that the vote on 205 CMR 250 and 205 CMR 235 would be addressed the following week.

Commissioner Hill moved that the Commission approve the Small Business Impact Statement and the draft 205 CMR 233 as included in the Commissioner's Packet and discussed here today. The motion was seconded by Commissioner Maynard.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Hill further moved that staff be authorized to take the steps necessary to file the required documentation with the Secretary of the Commonwealth by emergency and thereafter to begin the regulation promulgation process, and further that staff be authorized to modify chapter or section numbers or titles to file the regulation sections as reserved or to make any other administrative changes as necessary to execute the regulation promulgation process. The motion was seconded by Commissioner Maynard.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Hill moved that the Commission approve the Small Business Impact Statement and the draft 205 CMR 105 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.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Hill further moved that staff be authorized to take the steps necessary to file the required documentation with the Secretary of the Commonwealth by emergency and thereafter to begin the regulation promulgation process, and further that staff be authorized to modify chapter or section numbers or titles to file the regulation sections as reserved or to make any other administrative changes as necessary to execute the regulation promulgation process. The motion was seconded by Commissioner Maynard.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

8. [Sports Wagering Process Updates](#) (5:12:49)

Executive Director Wells updated the Commissioners that Sports Wagering License applicants had been provided with a link to submit their documents, but that some had contacted the Licensing Division to do so. She stated that both methods were permissible.

a. [Sports Wagering Category 2 Licenses](#) (5:13:47)

i. Category 2 License Timeline

Executive Director Wells introduced Attorney Steve Eichel, representing Raynham Park, Attorney Bruce Barnett, representing Sterling Suffolk, and Michael Buckley, Chief Operating Officer for Sterling Suffolk. Executive Director Wells explained that category two applicants were presumptive licensees, and that there was not a competitive process for category two sports wagering licenses. She stated that category two license applications would be accepted on a rolling basis, rather than the November 21, 2022, deadline for other category applicants.

Mr. Barnett stated that Raynham had yet to identify its operator partner and would not be able to present a full application by the deadline. Mr. Eichel stated that Sterling Suffolk was attempting to finalize negotiations with their operating partners. Mr. Eichel asked if a tethered category three operator would be precluded from operating prior to the award of their category two license.

Chair Judd-Stein noted that the category two license was essentially a condition precedent to getting a tethered category three license. General Counsel Grossman agreed with the Chairs assessment of the Sports Wagering Act, and explained that the category two license triggers the ability for a tethered category three operator to operate; summing that the category two license was required first.

Commissioner O'Brien stated that in theory, there was a category one region that had yet to be defined, and asked if the applicants for that region were subject to the deadline. General Counsel

Grossman stated that language was built into 205 CMR 218 to give the Commission flexibility in changing deadlines within a category.

Commissioner Maynard moved that the Commission accept applications for category two sports wagering operator licenses on a rolling basis. The motion was seconded by Commissioner Hill.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

ii. [Request for clarification regarding MGL c. 23N, §6\(f\)](#) (5:30:14)

Mr. Eichel sought clarification regarding whether separate \$5 million-dollar fees had to be paid for each of the category two licenses, and tethered category three license. He stated that during the legislative process, the \$7.5 million capital investment requirement was discussed as being in lieu of requiring a second \$5 million fee.

General Counsel Grossman stated that any entity that receives an operator license will have to pay the \$5 million fee. He explained that the category two license triggers the ability to perform in-person sports wagering operations and to allow for one digital operation approved by the Commission, provided the mobile application and digital platform be qualified for and issued a category three license. He stated that the mobile operator would have to pay \$5 million for the category three license and the retail operator would have to pay \$5 million for their category two license.

Commissioner Skinner moved that the Commission required that the five million license fee identified in Massachusetts General Law Chapter 23N § 6(f) must be paid for each individual license award including category one, category two, and category three -both tethered and untethered licenses- as discussed here today. The motion was seconded by Commissioner O'Brien.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

General Counsel Grossman noted that this fee structure was also captured in 205 CMR 221, which states every license holder must pay five million dollars.

Commissioner O'Brien raised the issue that there was a typo within the motions to approve the changes to 205 CMR 103, 205 CMR 102, and 205 CMR 115. Deputy General Counsel Torrisi explained that the motion did not include language allowing for the staff to make administrative changes if necessary to complete the regulation promulgation.

Commissioner O'Brien moved that the Commission authorize staff to make any administrative changes necessary to the drafted versions and Amended Small Business Impact Statements for 205 CMR 103, 205 CMR 102, and 205 CMR 115 as included in the packet, so as to file the Amended Small Business Impact Statement with the Secretary of the Commonwealth's Office and complete the regulation promulgation process. The motion was seconded by Commissioner Hill.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner O'Brien exited the meeting due to a prior commitment.

b. [Divisional Updates](#) (5:49:54)

CIO Jagroop-Gomes explained that the IT Division was working with GLI and the Legal Division to review the technical regulations. She stated that the IT Division had been working with GLI to specify any compliance, audit, security checkpoint, and questionnaires that would be required for launch.

Assistant Director Band stated that IEB had given the three casinos permission to bring sports wagering kiosks on site, provided they remain non-operational. He stated that blueprints had been requested regarding the location where the sports wagering kiosks would be installed.

Assistant Director Band stated that MGM and EBH had already constructed their sportsbook counters, and PPC had permission to build their temporary counter on the game floor next to the Revolution Lounge. He stated that PPC would appear before the Commission to present their plan for the permanent sports wagering counter as they will need to change the floor design. He stated that the casinos had sent plans for their house rules, but the IEB was waiting on regulations prior to reviewing the house rules.

Chair Judd-Stein asked if kiosk placement would be brought to the Commission for consideration. Assistant Director Band stated that the kiosks on the gaming floor would be around the perimeter, and that any kiosks not on the game floor would be presented to the Commission. Chair Judd-Stein noted that other jurisdictions found that kiosks close to the doors were not advisable.

Commissioner Hill inquired if the Commissioners would be able to see where the kiosks would be installed on a tour. Assistant Director Band confirmed and stated that blueprints would hopefully be ready prior to Commissioner Hill's visit. General Counsel Grossman cautioned against independent analysis or research about sports wagering applications until all applications were received, and there was a structured approach to evaluating them. He stated that it may be premature to look at the kiosk locations.

Director Lillios stated that the Licensing Division was preparing to review the incoming applications for administrative completeness, and that applications would be reviewed on a rolling basis. She stated that investigators were starting the open source reviews that could be performed.

Director Lillios stated that proof of business relationship was required before performing work as a vendor, and that vendors were now welcome to submit a scoping survey. She noted that third-party marketing affiliates were included in the vendors requiring licensure. She further reported that the Licensing Division had hired two new staff members. Executive Director Wells stated that the Legal Division was on track with drafting regulations according to the schedule.

9. [Commissioner Updates](#) (6:04:45)

a. Advertising/Media Round Table Update

Chair Judd-Stein stated that on November 14, 2022, there would be a roundtable discussion to address marketing, advertising, how media markets work, innovations to address the Commission's concerns related to sports wagering advertisements, and the scope of the Commission's regulatory authority. Chief of the Communications Division, Thomas Mills stated that the meeting would be streamed on YouTube and the Commission's website. Chair Judd-Stein stated that this roundtable would inform the Commission's regulations related to advertising.

10. [Other Business](#) (6:09:13)

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

Commissioner Hill moved to adjourn. The motion was seconded by Commissioner Skinner.

Roll call vote:

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 4-0.

List of Documents and Other Items Used

1. Notice of Meeting and Agenda dated November 7, 2022
2. [Commissioner's Packet](#) from the November 10, 2022, meeting (posted on massgaming.com)



Sports Wagering Division

TO: Chair Cathy Judd-Stein
Commissioner Bradford R. Hill
Commissioner Jordan Maynard
Commissioner Eileen M. O'Brien
Commissioner Nakisha L. Skinner

FROM: Sterl Carpenter – Sports Wagering Operations Manager

CC: Karen Wells – Executive Director
Bruce Band – Sports Wagering Division Director

DATE: March 28, 2023

RE: Proposed changes to House Rules

WynnBET – Proposed changes

WynnBET is requesting a change to their minimum wager.

From:
\$1

To:
\$0.01

Caesars Sportsbook – Proposed changes

Caesars Sportsbook is proposing the following changes:

- 1) Updated language for Bonus Bets
- 2) Updated language for Rounding
- 3) Updated language for Team Race To Record language (Baseball)
- 4) Cycling
- 5) Volleyball
- 6) Softball

1) Updated language for Bonus Bets

From:
Bet Credit

To:



Sports Wagering Division

Bonus Bet

~~Bonus Cash removed~~

2) Updated language for Rounding

From:

PAYOUTS (ROUNDING)

a. All payout calculations for Retail bets are rounded to the nearest nickel.

b. Rounding of the payout of all cash-equivalent bets to the nearest nickel are:

- 1 cent, 2 cent, 3 cent and 4 cent amounts to be rounded up to 5 cent
- 6 cent, 7 cent, 8 cent and 9 cent amounts rounded up to 10 cent

b. Rounding is applied to all bet types and amounts applicable to wagers refunded due to them being cancelled, voided or pushed bets.

To:

PAYOUTS (ROUNDING)

- a. All payout calculations for Retail bets will not be rounded and will be paid on the exact amount.

3) Updated language for Team Race To Record language (Baseball)

From:

The Caesars Sportsbook 13 Run Baseball Pool

1. The winning team is the first to record every run in an official game; from 0 to 13 runs.

2. Win or lose, each MLB team's run total at the end of the game is recorded.

3. Final run totals are recorded starting on Opening Day of MLB regular season.

• Any additional 13 Run Baseball Pool markets will list start date within the market name.

4. Games that are postponed, suspended, cancelled, or considered unofficial for any reason are not recorded.



Sports Wagering Division

5. Final run totals for rescheduled or resumed games are recorded with the later date.

To:

Removed

4) Cycling

From:

To:

CYCLING

Race/Event Winner

1. Predict which cyclist will win the race. In the event of a disqualification or amended result, bets will be settled on the result at the time of the podium presentation.
2. Should no podium presentation take place, then the final result listed on the official website will count as the official result.
3. Ante-Post rules apply to bets placed prior to the start of an event, and stake will be lost on any competitor who withdraws or takes no part.

Stage Winner

1. Predict which cyclist will win a specific 'stage' of the named event.
 - a. Stakes will be refunded on non-participants and a Rule 4 deduction may be applied to winning bets in the event of a disqualification or amended result.
2. Bets will be settled at the time of the podium presentation. Should no podium presentation take place, the final result listed on the official website will count as the official result.

Full Race Match/Group Betting

1. Predict which of the named athletes will obtain the highest (final) finishing position in the race.
2. Should neither (no) athlete finish the race, bets will be considered void. Should one of the athletes not take the start line, bets on that market will be made void. The result listed on the official website will count as the final result.

Stage Match/Group Betting

1. Predict which of the named athletes will obtain the highest (final) finishing position in the stage.
2. Should neither (no) athlete finish the stage, bets will be considered void. Should one of the athletes not take the start line, bets on that market will be made void. The result listed on the official website will count as the final result.

Special Categories

1. Predict the winner of a special category in the race. This includes the 'King Of The Mountains', Points Classification, Team Classification and Youth Classification.



Sports Wagering Division

2. Bet will be settled on the official results at the time of the podium presentation. Any subsequent disqualifications will not affect bets.

First Time Winner

1. Predict if the winner of the race has won the same race in a previous season. Bets are settled on the official result.

Nationality of Winner

1. Predict the nationality of the winner of the event. The nationality of the athlete will be the one listed on the official race website.

Age of Winner

1. Predict the age of the winner of the event. The age taken for the athlete will be the one listed on the official race website.

Winning Margin

1. Predict the distance in Minutes/Seconds between the winner of the race and the cyclist finishing 2nd. Bets are settled on the official result.

Top 3 Finish / Podium Finish

1. Predict if the named athlete will finish the named event with a top 3 (podium) placing.

2. Bets will be settled on the result listed on the official website.

3. Dead-heat rules may apply.

Top 5 Finish

1. Predict if the named cyclist will finish the named event with a top 5 placing.

2. Bets will be settled on the result listed on the official website.

3. Dead-heat rules may apply.

Top 10 Finish

1. Predict if the named cyclist will finish the named event/stage with a top 10 placing.

2. Bets will be settled on the result listed on the official website.

3. Dead-heat rules may apply.

Top 20 Finish

1. Predict if the named cyclist will finish the named event/stage with a top 20 placing.

2. Bets will be settled on the result listed on the official website.

3. Dead-heat rules may apply.

Nationality Betting

1. Predict which cyclist from a particular nationality group will obtain the highest final placing in the named race (ex. Top American athlete). Bets are settled on the official result.

2. Dead-heat rules may apply.

To Win a Monument

1. Predict whether the named rider will win one of the 5 monuments in the named year (Monuments: Milan San Remo, Tour Of Flanders, Paris Roubaix, Liege Bastogne Liege & Il Lombardia).



Sports Wagering Division

Enhanced Parlays

1. Predict all of the athletes/teams listed will win their named events.
2. If one or more of the events doesn't take place, bets will be settled at the individual odds quoted for each event.
3. The result listed on the official website will count as the final result.

5) Volleyball

From:

To:

Volleyball

Outright Tournament Winner

1. Predict the team that will win the tournament.

Match Betting

1. Predict which team will win the match.

Match Correct/Live Score

1. Predict the score in the match.

1st Set Winner

1. Predict the team that will win the first set.

Point Spread

1. Predict the result once the spread has been applied to the official scores.

Set Spread

1. Predict the result once the spread has been applied to the official scores.

Set Winning Margin/Live

1. Predict the margin of points by which a nominated team will win a set.



Sports Wagering Division

Set Extra Points/Live

1. Predict whether the set will require extra points to be decided. A set is won when one team gains 25 points in that period, but there has to be a gap of at least 2 points. If the set score goes to 24-24, then extra points would be a winning bet as one team would need to get to 26 points to win the set.

Set Points Odd/Even/Live

1. Predict whether the total amount of points scored in the set are odd or even. Even is classed as 0, 2, 4, 6 and multiples of 2 thereof. Odd is classed as 1, 3, 5, 7 and every alternate number continuously.

Set Lead/Live

1. Predict which team will lead the set after 10 points have been scored in the given period.

Set Race To/Live

1. Predict which team will be the first to score the stated number of points in a given period.

Total Match Points Odd/Even

1. Predict whether the total amount of points scored in the match are odd or even. Even is classed as 0, 2, 4, 6 and multiples of 2 thereof. Odd is classed as 1, 3, 5, 7 and every alternate number continuously.

Total Points

1. Predict whether the total points scored in the match will be over or under a specified number.

To Win a Specific Set

1. Predict the result of a specific set in the match.

Group Winner

1. Predict the winner of the group.



To Reach the Final

1. Predict whether a named team can reach the final of a tournament.

Abandoned/Postponed

1. If an event is abandoned, bets are void unless a winning market has already been established.

If a match in the Olympics or World Championships is postponed, bets stand provided it is rescheduled before the closing ceremony. Postponed matches in other competitions are void.

6) Softball

From:

To:
Softball

General:

1. The game must go at least 7 innings of play (or 6.5 if the home team is ahead) for bets to have action, otherwise bets are void unless a winning market has already been established. The only exceptions being:
 - a. A bet placed on the money line, where bets will stand provided there are at least 5 full innings of play unless the team batting second is leading after 4.5 innings. If the game is called, or suspended, after this point of the game is reached, then the winner is determined by the score after the last full inning (unless the team batting second scores to tie, or takes the lead in the bottom half of the innings, in which case the winner is determined by the score at the time the game is called). With the exception of college playoff games, suspended games do not carry over.
 - i. EXAMPLE - For all specific inning or combined inning (e.g. first 5 innings) wagering on softball, the specified inning or period must have been completed for action. For example, a wager on a run being scored in the 5th Inning where a game is postponed in the 7th is action; whereas if the game were to be called at any time during the 5th, the wager is void (regardless if a run has already been scored).
 - b. When Mercy Rule is called because one team is in an unassailable lead, in which case all bets stand.

Live wagering:

1. For all full-game wagers on baseball the game must go at least the regulation nine innings (eight and one-half if the home team is ahead) for a scheduled nine-inning game



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and seven innings (six and one half if the home team is ahead) for a scheduled seven-inning game for action.

2. For all specific inning or combined inning (e.g. first 5 innings) wagering on baseball, the specified inning or period must have been completed for action. For example, a wager on a run being scored in the 5th Inning where a game is postponed in the 7th is action; whereas if the game were to be called at any time during the 5th, the wager is void (regardless if a run has already been scored).

Unless odds are quoted for a tie, any market where the result is a wagering tie will be refunded.

BetMGM – Proposed changes

BetMGM is proposing the following changes:

1. Teasers (Online Only) p.7

From:

~~become a single bet on the remaining team~~

~~For teaser payouts, odds are based on the odds of each line at the time of bet placement.~~

To:

be cancelled in the event one selection results in a push, cancellation, or void.

2. Baseball Mercy Rule p.12

From:

To:

Baseball Mercy Rule

If the game ends by the relevant league's mercy rule, then all wagers will be settled according to the results at the time the mercy rule is applied (this will include softball).

3. Esports p.43

From:

~~Esports Rules~~

~~Date/Site Changes~~

~~Any bets on a game not played on the scheduled date or played at a different venue, at the time the bet was placed, will be declared cancelled.~~



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~~For e-NASCAR, races must take place at the designated virtual location on the scheduled start day or bets will be declared cancelled.~~

~~Minimum Length of Play~~

~~If any round (map) is not played or is awarded to one player or team by default without play having commenced, all wagers on that round (map) and on the match as a whole will be cancelled. If there is a change in the number of rounds (maps) played prior to the match starting, wagers placed on this market will stand.~~

~~Esports Wagers~~

~~Match overall winner~~

~~Wager on the overall winner of a specified match prior to the match starting. This may be offered on a specific team or individual (during individual competitions). BetMGM will recognize the team that is deemed the winner of the match by the governing body of the league/competition or event organizer. This wager will be offered pre-match and may also be offered at adjusted prices/odds in between rounds (maps) of the competition.~~

~~Individual round (map) winner~~

~~Wager on the winner of an individual round (map) of the competition. If a round (map) is not played because the result of the event has already been determined (i.e. A best of 5 series and map 5 is not needed), wagers on un-played rounds or maps will be cancelled. A map is deemed to have started as soon as the game clock starts or either team or player takes game action relating to that map, including picks, bans and weapon purchases. In the event that a map has to be remade due to a technical glitch or bug, wagers placed after the start of the map will be cancelled. If maps are subject to a pause but restart as planned, bets will stand.~~

~~eNASCAR~~

~~iRacing driving simulators and equipment may differ slightly from driver to driver. If a driver starts a race and a winner is declared, all wagers stand. Should a driver not take part at all, wagers on that driver will be returned.~~

To:

~~Removed~~

4. Football Player Futures p.47

From:

~~be active in Week 1~~



Sports Wagering Division

To:

play at least one snap in the regular season

5. Player Season Specials p.47

From:

~~be active Week 1 of the regular season~~

~~Players are not required to be active Week 1 for these wagers to stand.~~

To:

play at least one snap in the regular season for bets on their individual performances to stand, else bets are cancelled. Wagers are also available on who will achieve the most for each statistic.

6. Softball Rules p.82

From:

To:

Softball Rules

Date/Site Changes

If a match is not played on the scheduled date and at the listed venue, then all bets are cancelled.

Minimum Length of Play

If the match is abandoned at any time, then all bets are cancelled, except bets that were already decided at the time of abandonment.

Softball Mercy Rule

If the game ends by the relevant league's mercy rule, then all wagers will be settled according to the results at the time the mercy rule is applied.

Softball Wagers

Extra Innings

Unless otherwise stated, wagers are settled on the official result including any extra innings.

Run Line

Wagers are settled on the official result after 7 innings (6 ½ innings if the home team is leading) including extra innings.

7. All Futures Rules p.88

From:

To:



Sports Wagering Division

5. Bets on futures markets which have been unconditionally determined will be settled as such, unless otherwise specified in the specific sport's betting rules.

MGM Springfield – Proposed changes

MGM Springfield is proposing the following changes:

1. Baseball Mercy Rule p.12

From:

To:

Baseball Mercy Rule

If the game ends by the relevant league's mercy rule, then all wagers will be settled according to the results at the time the mercy rule is applied (this will include softball).

2. Football Player Futures p.44

From:

~~be active in Week 1~~

To:

play at least one snap in the regular season

3. Player Season Specials p.45

From:

~~be active Week 1 of the regular season~~

~~Players are not required to be active Week 1 for these wagers to stand.~~

To:

play at least one snap in the regular season for bets on their individual performances to stand, else bets are cancelled. Wagers are also available on who will achieve the most for each statistic.

4. Softball Rules p.82

From:

To:

Softball Rules

Date/Site Changes

If a match is not played on the scheduled date and at the listed venue, then all bets are cancelled.



Sports Wagering Division

Minimum Length of Play

If the match is abandoned at any time, then all bets are cancelled, except bets that were already decided at the time of abandonment.

Softball Mercy Rule

If the game ends by the relevant league's mercy rule, then all wagers will be settled according to the results at the time the mercy rule is applied.

Softball Wagers

Extra Innings

Unless otherwise stated, wagers are settled on the official result including any extra innings.

Run Line

Wagers are settled on the official result after 7 innings (6 ½ innings if the home team is leading) including extra innings.

5. All Futures Rules p.86

From:

To:

5. Bets on futures markets which have been unconditionally determined will be settled as such, unless otherwise specified in the specific sport's betting rules.



Sports Wagering Division

TO: Chair Cathy Judd-Stein
 Commissioner Bradford R. Hill
 Commissioner Jordan Maynard
 Commissioner Eileen M. O'Brien
 Commissioner Nakisha L. Skinner

FROM: Sterl Carpenter – Sports Wagering Operations Manager

CC: Karen Wells – Executive Director
 Bruce Band – Sports Wagering Division Director

DATE: March 31, 2023

RE: Requested additions to approved events

Introduction:

The Sports Wagering Division has received six (6) requests for additional events to be approved by the Massachusetts Gaming Commission. DraftKings and U.S.Integrity have provided the following requests.

DraftKings

The following submission is from DraftKings for the adoption of the Boston Marathon.

New League Request

<i>Reg: 247.03 - (3)(a)</i>	DraftKings 222 Berkeley St. Boston, MA 02116
Name & Address of Petitioner:	
<i>Reg: 247.03 - (3)(b)</i>	Boston Marathon
League:	
<i>Reg: 247.03 - (3)(c)</i>	New: "Special Events"
Sport:	
Event:	Annual event
Event Date/ Duration:	17-Apr-23

Reg: 247.03 - 3(e)(1)
Overview: The Boston Marathon is the world's oldest annual marathon and one of the most famous road racing events. It is traditionally held on Patriots' Day, the third Monday of April. Since 1986, the B.A.A. has managed the marathon, which is sponsored by John Hancock. Due to its traditions, duration, and qualification-based entry system, the Boston Marathon has established itself as the premier event in the sport of road racing. The Boston Marathon was originally a local event, but its fame and status have attracted runners from all over the world. For most of its history, the Boston Marathon was a free event, and the only prize awarded for winning the race was a wreath woven from olive branches. The course runs through 26 miles 385 yards (42.195 km) of winding roads and city streets into the center of Boston, where the official finish line is located at Copley Square, alongside the Boston Public Library. There are about 70 participants in the professional field for the 2023 marathon. DraftKings will only be offering the top 20 men & women professional winners and men & women winning time (over/under) for wagering. All results will be determined & verified via the official league's website.



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Link: <https://www.baa.org/races/boston-marathon/enter>

Year Founded: 1897

Details of Salary or Prize Money: Prize money at the Boston Marathon is equally distributed amongst men and women in the Open, Masters, and Wheelchair Division. See link below for prize money breakdown.

Link: <https://www.baa.org/races/boston-marathon/prize-money>

Underage Participants? No

Requirement for minimum age group for Professionals in the Boston Marathon is 18 years of age on race day.

Link: <https://www.baa.org/races/boston-marathon/qualify#:~:text=Minimum%20age%20>

Reg: 247.03 - 3(g) THE B.A.A. has organized the Boston Marathon since the event's inception in 1897. Through its dedicated leadership, the B.A.A. has demonstrated its commitment to and support of the Greater Boston area, especially the eight cities and towns along the Boston Marathon route.

Governing Body:

Link: <https://www.baa.org/about/boston-marathon#:~:text=The%20B.A.A.%20has%20organized%20the,by%20>

Reg: 247.03 - 3(e)(3) & 3(h) Integrity Policy: All participants in the Boston marathon must abide by the Boston Marathon Rules and Policies. Additionally, Per the Boston Marathon Rules and Policies code of conduct 5.6.1 all participants must abide by Abbott Athlete Code of Conduct which entails anti gambling policy.

Do all players abide to this? Yes

Link: <https://www.worldmarathonmajors.com/athlete-code-of-conduct>

See attached file for the Boston Marathon Rules and Policies

Integrity Agreement: No

Integrity Issues: No

Reg: 247.03 - 3(e)(2) House Rules: Technology used is provided by DraftKings Sportsbook. The already approved house rules will be utilized for this event, see below:

Outrights / Futures

"Outrights", "Futures" or "Place" betting is when you choose from a list of alternatives and bet on where a participant wins or places within a specified position in the classification of the listed event/competition. Should two or more participants share finishing positions, the settlement will follow the 'Dead Heat Reduction Rules'.

Betting and Payout Limitations

The official result is final for settlement purposes except where specific rules state the contrary. The podium position in a motor race, the medal ceremony in athletics and any similar official ceremony or presentation in other sports are to be treated as the official result.

Reg: 247.03 - 4(a-d) Verified the event follows all requirements set by Reg 247.03 - 4(a-d)

List all currently approved states: Currently requesting in all states which we operate in.

Non-applicable Reg: Reg: 247.03 - 3(e)(5) is non-applicable because this event is not determined solely by chance. Reg: 247.03 - (3)(d) DraftKings is not sponsoring this event



U.S. Integrity

The following submissions are from U.S. Integrity.

247.03: Petition for a Sporting Event or Wager Category - NRX

- (1) Any Person may petition the Commission for approval of a new Sporting Event or Wager Category. [U.S. Integrity](#)

- (2) A proposed new Sporting Event or Wager Category may be a variation of an authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category. [New Sporting Event](#)

- (3) A petition for a proposed new Sporting Event or Wager Category shall be in writing and must include, at a minimum, the following information:
 - (a) The name(s) and address(es) of petitioner(s);
[2470 St. Rose Pkwy, #214](#)
[Las Vegas, NV 89074.](#)
[702-522-9545](#)
[USIntegrity.com](#)
 - (b) The name of the Sporting Event or Wager Category;

[Nitro Rallycross "NRX"](#)
 - (c) Whether the Sporting Event or Wager Category is a variation of an authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category;

[New Sporting Event](#)
 - (c) The name of any Sports Wagering Operator sponsoring the petition;
[None at this time](#)
 - (e) A complete and detailed description of the Sporting Event or Wager Category for which approval is sought, including:



Sports Wagering Division

1. A summary of the Sporting Event or Wager Category and the manner in which Sports Wagers would be placed and winning Sports Wagers would be determined;

Founded in 2021, Nitro Rallycross (“Nitro RX”) is looking to revolutionize motorsports with cars that fly across 100 foot gap jumps, featuring the biggest personalities on purpose-built tracks. It’s the most entertaining and innovative series on four wheels. Season 1 was broadcasted on NBC’s family of networks along with 150+ countries internationally. “Rallycross” is a form of sprint style automobile racing using modified street cars. It’s held on a closed circuit and raced on a variety of surfaces (dirt, gravel, snow, sand, etc.). The sport has been around for 55 years after being founded in Great Britain in 1967.

Wager Types:

Moneyline:

- Race winner
- Top 3 finish
- Top 5 finish
- Podium trifecta
- Final position head-to-head driver matchups
- Margin of victory
- Driver with the fastest main route lap time
- Driver with the fastest joker lap time – The joker lap is a traditional feature on rallycross circuits.

Each course is equipped with two routes: the main route, and the joker lap route, with each driver forced to take the joker lap once (and only once) per race. The joker lap route either shortens or lengthens the lap distance depending on the track. This forces drivers to make strategic decisions about when to take it throughout the course of the race.

- Finals heat pole position



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- Qualifying day results
- Qualifying day head-to-head driver matchups

Futures on end of season results:

- Series champion
- Top 3 finish
- Top 5 finish

Over/Unders –

- Number of lead changes in Finals

2. A draft of the proposed House Rules, including a description of any technology that would be utilized to offer Sports Wagering on the Sporting Event or Wager Category;

N/A

3. Any rules or voting procedures related to the Sporting Event or Wager Category;

There is an in-depth rulebook that governs the series, teams and drivers (sporting regulations, technical regulations, commercial regulations), with the rules ultimately being governed by an independent third-party. (USAC)

From a competitive standpoint, the driver lineup includes some of the most successful athletes in motorsports & action sports.

- Travis Pastrana – action sports icon
- Chase Elliot – 2020 NASCAR Cup Series Champion
- Kyle Busch – 2015 & 2019 NASCAR Cup Series Champion
- Jensen Button – former F1 World Champion

End-to-end production is handled by Thrill One’s event operation team, which has countless years of experience producing and managing best-in-class action sports and motorsports events (e.g., Street League Skateboarding, X Games, Dew Tour, many more).



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4. Assurance that the Sporting Event or Wager Category meets the requirements of 205 CMR 247.03(4);

The Nitro Rallycross website and social media channels are the primary source of this information. We have

paid media outlets (out-of-home, radio, TV, etc.), organic editorial coverage, and email communication that also shares this information.

5. Whether and to what extent the outcome of the Sporting Event or Wager Category is determined solely by chance;

Nitro Rallycross is run under the auspices of a third-party sanctioning body – the United States Auto Club

(“USAC”) – which provides a Race Director Secretary, Chairman of the Stewards and two Stewards. The Race

Director and/or Clerk of the Course are responsible for the application of the series competitive regulations.

(f) If the proposed Sporting Event or Wager Category is based on eSports activities, complete information about: **Not Applicable**

1. The proposed location(s) of the eSports event(s);
2. The video game used for the eSports event, including, without limitation, the publisher of the video game;
3. The eSports event operator, whether the eSports event operator is approved to host events by the video game publisher, and whether the eSports event operator has any affiliation with the video game publisher;
4. The manner in which the eSports event is conducted by the eSports event operator, including, without limitation, eSports event rules and certification from a third party, such as an eSports event operator or the game publisher, that the



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eSports event meets the Commission's event integrity requirements;

(g) The name of any Sports Governing Body or equivalent organization, as authorized by the Commission;

The Championship and each of its Events are governed by USAC in accordance with the series regulations.

Any breach of the rules may be penalized, and penalties are determined by the gravity of the violation and its

effect on the fairness of competition, the orderly conduct of the event, and the interest of rallycross racing.

Penalties include (but are not limited to) a fine, disqualification, loss of points, and/or loss of finishing position.

All vehicles must be presented to scrutineering checks prior to competition.

(h) To the extent known by the petitioner(s), a description of policies and procedures regarding event integrity;

U.S. Integrity has been contracted to handle Monitoring of both wagering and event activity.

Implemented policies whereby Nitro Rallycross teams and athletes are not allowed to wager on Nitro Rallycross in any way.

Implemented policies whereby Thrill One/Nitro Rallycross employees are not allowed to wager on Nitro Rallycross in any way.

Any other information or material requested by the Bureau or Commission.

None at this time

(4) The Commission shall not grant the petition and authorize the Sporting Event or Wager Category unless the following minimum criteria are met:

(a) The outcome can be verified;

Nitro Rallycross is broadcast in over 150 countries while also having 24/7 social media coverage (primarily on Instagram and YouTube). We ensure that all of our fans, whether viewers at home or ticket buyers on-site, have the latest information and can properly tune in.



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(b) The Sporting Event generating the outcome is conducted in a manner that ensures sufficient integrity controls exist so the outcome can be trusted;

Described in Section (h) above as well as in section (g)

(c) The outcome is not likely to be affected by any Sports Wager placed; and All athletes are professional so they are less incentivized to be influenced to perform poorly due to the fact they are compensated more based on their performance. As well all athletes complete a E-learning module provided by U.S. Integrity to educate them to not bet on their events.

(d) The Sporting Event is conducted in conformity with all applicable laws.

The athletes sign contracts with strict Code of Conduct language. With anti-gambling language included in the documentation they sign.

(5) The Commission will consider the request, all provided materials, and any relevant input from the Sports Governing Body or the conductor of the Sporting Event prior to authorizing a Sporting Event or Wager Category.

Currently in application phase.

(6) In its sole discretion, the Commission may require an appropriate test or experimental period, under such terms and conditions as the Commission may reasonably require, before granting final approval to a Sporting Event or Wager Category.

Undetermined at this time.

(7) In its sole discretion, the Commission may subject any technology that would be used to offer a Sporting Event or Wager Category to testing, investigation, and approval.

Undetermined at this time.

(8) The Commission may grant, deny, limit, restrict, or condition a request made pursuant to this rule, and may revoke, suspend, or modify any approval granted under this rule.



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Undetermined at this time.

(9) The Commission shall notify all Sports Wagering Operators of any changes to authorized Sporting Events and Wager Categories.

Not approved yet

(10) The Commission may prohibit the acceptance of any Sports Wagers, and may order the cancellation of Sports Wagers and require refunds on any Sporting Event or Wager Category, for which wagering would be contrary to the interests of the Commonwealth.

Not approved yet

(11) If a Sports Wagering Operator offers an unauthorized or prohibited Sporting Event or Wager Category, the Sports Wagering Operator must immediately cancel and refund all Sports Wagers associated with the unauthorized or prohibited Sporting Event or Wager Category. The Sports Wagering Operator must notify the Commission promptly after cancelling and refunding the Sports Wagers.

Not applicable during review

(12) The Commission may use any information it considers appropriate, including, but not limited to, information received from a Sports Governing Body, in determining whether to authorize or prohibit wagering on a particular Sporting Event or Wager Category.

Initial phase currently

247.03: Petition for a Sporting Event or Wager Category-PowerSlap

(1) Any Person may petition the Commission for approval of a new Sporting Event or Wager Category. [U.S. Integrity](#)



Sports Wagering Division

(2) A proposed new Sporting Event or Wager Category may be a variation of an authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category. [New Sporting Event](#)

(3) A petition for a proposed new Sporting Event or Wager Category shall be in writing and must include, at a minimum, the following information:

(d) The name(s) and address(es) of petitioner(s);

[2470 St. Rose Pkwy, #214](#)

[Las Vegas, NV 89074.](#)

[702-522-9545](#)

[USIntegrity.com](#)

(e) The name of the Sporting Event or Wager Category;

[Power Slap](#)

(c) Whether the Sporting Event or Wager Category is a variation of an authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category;

[New Sporting Event](#)

(f) The name of any Sports Wagering Operator sponsoring the petition;

[None at this time](#)

(e) A complete and detailed description of the Sporting Event or Wager Category for which approval is sought, including:

1. A summary of the Sporting Event or Wager Category and the manner in which Sports Wagers would be placed and



Sports Wagering Division

winning Sports Wagers would be determined;

Power Slap is a new fighting league backed by, among others, Lorenzo Fertitta (former owner of UFC), Dana White (current President of UFC), Craig Piligian (leading non-scripted television producer) and Ultimate Fighting Championship (the world's leading combat sports promotion).

Per fight:

- Moneyline on each fighter to win the fight
- Over/Under number of rounds
- Will or will not KO occur

2. A draft of the proposed House Rules, including a description of any technology that would be utilized to offer Sports Wagering on the Sporting Event or Wager Category;

N/A

3. Any rules or voting procedures related to the Sporting Event or Wager Category;

NSAC oversees each Power Slap match. All officials, judges, referees, inspectors & physicians are provided by NSAC. Power Slap does not have any authority over determining the winner or loser of any Power Slap match.

4. Assurance that the Sporting Event or Wager Category meets the requirements of 205 CMR 247.03(4);

Resulting is distributed via 3027 an internal data company live resulting is available on Powerslap.com as well as it being live streamed on Rumble.

5. Whether and to what extent the outcome of the Sporting Event or Wager Category is determined solely by chance;

Fights results are determined by NSAC sanctioned judges for each fight.



Sports Wagering Division

(f) If the proposed Sporting Event or Wager Category is based on eSports activities, complete information about: **Not Applicable**

1. The proposed location(s) of the eSports event(s);
2. The video game used for the eSports event, including, without limitation, the publisher of the video game;
3. The eSports event operator, whether the eSports event operator is approved to host events by the video game publisher, and whether the eSports event operator has any affiliation with the video game publisher;
4. The manner in which the eSports event is conducted by the eSports event operator, including, without limitation, eSports event rules and certification from a third party, such as an eSports event operator or the game publisher, that the eSports event meets the Commission's event integrity requirements;

(g) The name of any Sports Governing Body or equivalent organization, as authorized by the Commission;

Nevada State Athletic Commission (NSAC)

(h) To the extent known by the petitioner(s), a description of policies and procedures regarding event integrity;

U.S. Integrity has been contracted to handle Monitoring of both wagering and event activity.

Power Slap participants are prohibited from placing any wagers (directly or through a third party) on any Power Slap match, whether they are participating in such Power Slap match or not, including placing any wagers on themselves. In most states with legalized sports betting, wagering by a Power Slap participant (directly or through a third party) on any Power Slap match is illegal and may result in criminal sanction. Power Slap participants should also be aware that in most states these same prohibitions apply to some or all of (i) relatives living in the same household as a participant, (ii) a participant's coaches, managers, handlers, athletic trainers,



Sports Wagering Division

medical professionals and staff, and (iii) any other person with access to non-public information regarding participants in any Power Slap match. A participant that becomes aware or has knowledge of any wagering in violation of these restrictions must immediately notify Power Slap of such incident.

Additionally, as further set forth in the Power Slap participants' Promotion Agreements, Power Slap participants are prohibited from fixing or colluding on any Power Slap match, and from offering, agreeing, conspiring, aiding, or attempting to cause a Power Slap match result to be based on anything other than its merits, including, but not limited to, influencing, or in any way attempting to fix, any Power Slap match.

Wagering on Power Slap matches by employees of Power Slap (or contractors with any access to non-public information) is also prohibited.

Violations of this policy may result in disciplinary action, including termination.

Any other information or material requested by the Bureau or Commission.

Power Slap matches are determined in the same manner as combat sports generally – a participant may win via finish (knockout, technical knockout, disqualification, technical decision or no contest), or by points (three judges, scoring the match on a 10-9 must system, evaluation the damage and effectiveness of the slap, and the reaction and recovery of the defender). Power Slap matches are regulated by the Nevada State Athletic Commission – all referees, inspectors, replay officials and judges are experienced combat sports personnel and are independent from Power Slap. The Commission has adopted the Power Slap rules set, which can be found here: <https://www.powerslap.com/rules/>

(4) The Commission shall not grant the petition and authorize the Sporting Event or Wager Category unless the following minimum criteria are met:

(a) The outcome can be verified;

Outcome can be verified via live stream, powerslap.com, and 3027 internal data distribution company.

(b) The Sporting Event generating the outcome is conducted in a manner that ensures sufficient integrity controls exist so the outcome can be trusted;

Described in Section (h) above

(c) The outcome is not likely to be affected by any Sports Wager placed; and
Described in Section (h) above

(d) The Sporting Event is conducted in conformity with all applicable laws.



Sports Wagering Division

The athletes sign contracts with strict Code of Conduct language. With anti-gambling language included in the documentation they sign.

(5) The Commission will consider the request, all provided materials, and any relevant input from the Sports Governing Body or the conductor of the Sporting Event prior to authorizing a Sporting Event or Wager Category.

Currently in application phase.

(6) In its sole discretion, the Commission may require an appropriate test or experimental period, under such terms and conditions as the Commission may reasonably require, before granting final approval to a Sporting Event or Wager Category.

Undetermined at this time.

(7) In its sole discretion, the Commission may subject any technology that would be used to offer a Sporting Event or Wager Category to testing, investigation, and approval.

Undetermined at this time.

(8) The Commission may grant, deny, limit, restrict, or condition a request made pursuant to this rule, and may revoke, suspend, or modify any approval granted under this rule.

Undetermined at this time.

(9) The Commission shall notify all Sports Wagering Operators of any changes to authorized Sporting Events and Wager Categories.

Not approved yet

(10) The Commission may prohibit the acceptance of any Sports Wagers, and may order the cancellation of Sports Wagers and require refunds on any Sporting Event or Wager Category, for which wagering would be contrary to the interests of the



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Commonwealth.

Not approved yet

(11) If a Sports Wagering Operator offers an unauthorized or prohibited Sporting Event or Wager Category, the Sports Wagering Operator must immediately cancel and refund all Sports Wagers associated with the unauthorized or prohibited Sporting Event or Wager Category. The Sports Wagering Operator must notify the Commission promptly after cancelling and refunding the Sports Wagers.

Not applicable during review

(12) The Commission may use any information it considers appropriate, including, but not limited to, information received from a Sports Governing Body, in determining whether to authorize or prohibit wagering on a particular Sporting Event or Wager Category.

Initial phase currently

247.03: Petition for a Sporting Event or Wager Category - Slapfighting

(1) Any Person may petition the Commission for approval of a new Sporting Event or Wager Category. **U.S. Integrity**

(2) A proposed new Sporting Event or Wager Category may be a variation of an authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category. **New Sporting Event**

(3) A petition for a proposed new Sporting Event or Wager Category shall be in writing and must include, at a minimum, the following information:

- (g) The name(s) and address(es) of petitioner(s);
2470 St. Rose Pkwy, #214



Sports Wagering Division

Las Vegas, NV 89074.

702-522-9545

USIntegrity.com

(h) The name of the Sporting Event or Wager Category;

[Slapfight Championship](#)

(c) Whether the Sporting Event or Wager Category is a variation of an authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category;

[New Sporting Event](#)

(i) The name of any Sports Wagering Operator sponsoring the petition;

[None at this time](#)

(e) A complete and detailed description of the Sporting Event or Wager Category for which approval is sought, including:

1. A summary of the Sporting Event or Wager Category and the manner in which Sports Wagers would be placed and winning Sports Wagers would be determined;

[SlapFIGHT Championship](#) was founded in 2017 to codify American Slap Fighting. Since that time, the league has conducted over 18 [SlapFIGHT Championship](#) events in the United States, featuring over 80 bouts and 60 athletes participating. [SlapFIGHT Championship](#) bouts have amassed in excess of 3M views on their Youtube channel and have been featured on sites such as ESPN, iHeart Radio and many more combat sports media sites. [Slapfight Championship](#) has signed multi-year sponsorship agreements with brands such as Impact Mouthguards, Davy Jones hair products and House of Gains gyms. For the past 12 months [SlapFIGHT Championship](#) fights have been available for PPV purchase through Fite TV. [SlapFIGHT Championship](#) has multiple deals to license its fights for viewing internationally in India, Western Europe (Germany, Switzerland, Austria) and the Middle East.

Per fight:

- [Moneyline on each fighter to win the fight](#)



Sports Wagering Division

- Over/Under number of rounds
- Will or will not KO occur

2. A draft of the proposed House Rules, including a description of any technology that would be utilized to offer Sports Wagering on the Sporting Event or Wager Category;

N/A

3. Any rules or voting procedures related to the Sporting Event or Wager Category;

SlapFIGHT Championship is regulated by Sport Slap USA, an independent regulatory commission for slap fighting in the United States. For the forthcoming events, SFC will be over seen by Becky Brown of Sport Slap USA. Becky is a veteran combat sports Sanctioning representative, certified by ISCF, USA boxing, Kick International, Combat Sports Commission and Bout Management Federation. Sport Slap USA has safely regulated over 100 mixed martial arts, slap fighting, kickboxing, jujitsu and boxing events over the past 15 years. Sport Slap USA regulates each SlapFIGHT Championship safely and communicates with state athletic officials, in the states where competitions are held.

4. Assurance that the Sporting Event or Wager Category meets the requirements of 205 CMR 247.03(4);

The events will be livestreamed on SlapFIGHT Championship's YouTube channel: SlapFIGHT Championship -YouTube Live Resulting also available on website: www.slapfight.live

5. Whether and to what extent the outcome of the Sporting Event or Wager Category is determined solely by chance;

There are three referees at each bout, one behind the barrel, watching closely for illegal strikes and/or flinches. Another kneeling in front of the barrel, closely watching the feet of the competitors, maintaining that there are no steps or pivots. The third official watch is the action as a whole and monitors replay, when necessary. Also at each event is a Sanctioning representative, who acts as a liaison between the promotion and the competitors, and handles any complaints and maintains fairness. Sport Slap USA is in charge of hiring judges and overseeing the safety aspect of the bouts. All referees have an



Sports Wagering Division

MMA background and are trained MMA referees. New referees are always backup referees for their first fight.

(f) If the proposed Sporting Event or Wager Category is based on eSports activities, complete information about: **Not Applicable**

1. The proposed location(s) of the eSports event(s);
2. The video game used for the eSports event, including, without limitation, the publisher of the video game;
3. The eSports event operator, whether the eSports event operator is approved to host events by the video game publisher, and whether the eSports event operator has any affiliation with the video game publisher;
4. The manner in which the eSports event is conducted by the eSports event operator, including, without limitation, eSports event rules and certification from a third party, such as an eSports event operator or the game publisher, that the eSports event meets the Commission's event integrity requirements;

(g) The name of any Sports Governing Body or equivalent organization, as authorized by the Commission;

Sport Slap USA

(h) To the extent known by the petitioner(s), a description of policies and procedures regarding event integrity;

U.S. Integrity has been contracted to handle Monitoring of both wagering and event activity.

SlapFIGHT has a number of policies in place to ensure the health and safety of its competitors and fair competition. These include;

- All athletes must certify that they are not under the influence of any illegal drug or alcohol prior to



Sports Wagering Division

their fight.

- All athletes must certify that they have not been exposed to COVID-19 in the prior 10 days before the competition.
- Random steroid tests are imposed at each event.
- Regulations relating to dress to enhance safety, (e.g., no metal piercings or gauges, are permitted)
- Each competitor is given a physical by the EMT/Doc before and after competing.
- Each competitor receives a hearing test before and after competing.
- No competitor is allowed to compete within 60 days of his/her last competition.
- Weight classes are maintained, to ensure that all competitors are fairly matched, and fall within the same weight requirements.
- All competitions take place on 2.5 inches of padded foam flooring, to maintain safety in case of knockout.
- Cotton is inserted in the ears of the competitor to defuse the pressure from the slab, protecting the eardrum from rupture.

Any other information or material requested by the Bureau or Commission.

None at this time

(4) The Commission shall not grant the petition and authorize the Sporting Event or Wager Category unless the following minimum criteria are met:

(b) The outcome can be verified;

Outcome can be verified via website www.slapfight.live as well as via live stream on Youtube

(b) The Sporting Event generating the outcome is conducted in a manner that ensures sufficient integrity controls exist so the outcome can be trusted;

Described under #5

The outcome is not likely to be affected by any Sports Wager placed;

Anti-Gambling Policy:

Slap Fighting is committed to maintaining a high level of integrity for its competitions,



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players, and additional personnel. We owe it to our fans and everyone associated with the league to take the necessary precautions to promote safe and regulated gambling. These policies are intended to set the standards for appropriate conduct and to be a guide for promoting compliance within the context of wagering.

A Slap Fighter must always give their best effort. Any player who agrees to, or attempts to lose, or fails to put forth their best effort towards winning the competition, shall be deemed permanently ineligible. In addition, no additional services or gifts may be awarded to anyone associated with the league to demean the quality of the competition. Any player, referee, or league official or employee, are prohibited from placing, soliciting, or facilitating any bet, whether directly or indirectly through a third-party, on any event in the Slap Fighting league. Any bet from a previously mentioned party related to the Slap Fighting league will be permanently removed from the league. No personnel in the Slap Fighting league shall throw or fix any game or in any way influence its outcome, statistics, or score; or otherwise manipulate or attempt to manipulate any other aspect of any match for a gambling-related purpose. This includes accepting a bribe or otherwise agreeing to throw, fix or influence a game, as well as failing to report any bribe, offer or attempt to do so.

Inside Information and Tipping: Unless duly authorized, Slap Fighting personnel are prohibited from using, disclosing or providing access to confidential, non-public information regarding: (a) any Slap Fighting match or event; (b) any participating individual's availability for or performance in any game; or (c) any other conditions material to any Slap Fighting game for a gambling-related purpose, whether directly or through another person. This includes failing to report any request for, disclosure of, or possible disclosure of such information

Duty to Cooperate: All Slap Fighting Personnel are required to fully cooperate with any investigation conducted by or on behalf of the Slap Fighting committee with respect to



this Policy.

(d) The Sporting Event is conducted in conformity with all applicable laws.

The athletes sign contracts with strict Code of Conduct language. With anti-gambling language included in the documentation they sign.

(5) The Commission will consider the request, all provided materials, and any relevant input from the Sports Governing Body or the conductor of the Sporting Event prior to authorizing a Sporting Event or Wager Category.

Currently in application phase.

(6) In its sole discretion, the Commission may require an appropriate test or experimental period, under such terms and conditions as the Commission may reasonably require, before granting final approval to a Sporting Event or Wager Category.

Undetermined at this time.

(7) In its sole discretion, the Commission may subject any technology that would be used to offer a Sporting Event or Wager Category to testing, investigation, and approval.

Undetermined at this time.

(8) The Commission may grant, deny, limit, restrict, or condition a request made pursuant to this rule, and may revoke, suspend, or modify any approval granted under this rule.

Undetermined at this time.

(9) The Commission shall notify all Sports Wagering Operators of any changes to authorized Sporting Events and Wager Categories.

Not approved yet



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(10) The Commission may prohibit the acceptance of any Sports Wagers, and may order the cancellation of Sports Wagers and require refunds on any Sporting Event or Wager Category, for which wagering would be contrary to the interests of the Commonwealth.

Not approved yet

(11) If a Sports Wagering Operator offers an unauthorized or prohibited Sporting Event or Wager Category, the Sports Wagering Operator must immediately cancel and refund all Sports Wagers associated with the unauthorized or prohibited Sporting Event or Wager Category. The Sports Wagering Operator must notify the Commission promptly after cancelling and refunding the Sports Wagers.

Not applicable during review

(12) The Commission may use any information it considers appropriate, including, but not limited to, information received from a Sports Governing Body, in determining whether to authorize or prohibit wagering on a particular Sporting Event or Wager Category.

Initial phase currently

247.03: Petition for a Sporting Event or Wager Category -SLS

(1) Any Person may petition the Commission for approval of a new Sporting Event or Wager Category. **U.S. Integrity**

(2) A proposed new Sporting Event or Wager Category may be a variation of an authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category. **New Sporting Event**

(3) A petition for a proposed new Sporting Event or Wager Category shall be in writing



Sports Wagering Division

and must include, at a minimum, the following information:

- (j) The name(s) and address(es) of petitioner(s);
2470 St. Rose Pkwy, #214
Las Vegas, NV 89074.
702-522-9545
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- (k) The name of the Sporting Event or Wager Category;

Street League Skateboarding “SLS”

- (c) Whether the Sporting Event or Wager Category is a variation of an authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category;

New Sporting Event

- (l) The name of any Sports Wagering Operator sponsoring the petition;
None at this time
- (e) A complete and detailed description of the Sporting Event or Wager Category for which approval is sought, including:

1. A summary of the Sporting Event or Wager Category and the manner in which Sports Wagers would be placed and winning Sports Wagers would be determined;

Founded in 2010, Street League Skateboarding (“SLS”) is the home of professional skateboarding and has been a pioneer in progressing and growing skateboarding over the past 10+ years. The SLS Championship Tour typically holds 4 to 6 events per year in indoor arenas around the world, and all 6 medalists across men’s and women’s street skate from the Tokyo 2020 Olympic Games compete on our tour. With over 6.3 million followers across social media, SLS has the largest fanbase amongst professional skate properties. ESPN was their domestic media partner in 2022, with our final event drawing over 300k+ live viewers on ESPN main.



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“Street Skateboarding” is a skateboarding discipline that revolves around flat-ground tricks and features that can be found in urban/public environments (handrails, stairs, benches, etc.). SLS builds a custom and temporary skatepark in the arena for each event.

Wager Types:

- Moneyline
 - o Outright winner
 - o Top 3 finish
 - o Top 8 finish
 - o Podium trifecta
- Over/Under
 - o Outright winner final score
 - o Number of “9 Clubs” (any run or single trick attempt scored 9.0+)
 - o Highest Single Trick Score
 - o Highest Run Score
- Props
 - o Final position head-to-head matchups
 - o Margin of Victory
 - o Skater with the highest Single Trick Score
 - o Skater with the highest Run Score
 - o Nationality of Outright winner

2. A draft of the proposed House Rules, including a description of any technology that would be utilized to offer Sports Wagering on the Sporting Event or Wager Category;

N/A

3. Any rules or voting procedures related to the Sporting Event or Wager Category;



Sports Wagering Division

Start Order for Heats: the start order is set by random draw for the initial heats. When moving forward onto each subsequent section, the start order is determined by reversing the order of the leaderboard.

Computation of Scores: for each run and trick attempt, each judge immediately assigns a value of between 0.0-10.0. Of the five judge scores, the highest and lowest scores are disregarded, and the run/trick score is determined by the average of the middle three scores. The result is rounded up to one decimal place (e.g. 8.6).

Judging Criteria: scoring is based on the judges overall impression of the following criteria – Execution

(subjective), Degree of Difficulty (objective), Variety (objective), Continuity of Run (objective) (for the run

section), Originality (objective), and Style (subjective).

Oversight: SLS GM, Matt Rodriguez, oversees all judging and scoring.

4. Assurance that the Sporting Event or Wager Category meets the requirements of 205 CMR 247.03(4);

Streamed on ESPN + all events have live resulting available at the SLS website (<https://www.streetleague.com>) and social media channels

5. Whether and to what extent the outcome of the Sporting Event or Wager Category is determined solely by chance;

SLS events are scored by a panel of 5 judges that are closely monitored by the SLS General Manager, Matt Rodriguez. Our scoring and judging format was adopted by the IOC for the Tokyo 2020 Olympic Games.

(f) If the proposed Sporting Event or Wager Category is based on eSports activities, complete information about: **Not Applicable**

1. **The proposed location(s) of the eSports event(s);**
2. **The video game used for the eSports event, including, without limitation, the publisher of the video game;**



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3. The eSports event operator, whether the eSports event operator is approved to host events by the video game publisher, and whether the eSports event operator has any affiliation with the video game publisher;
4. The manner in which the eSports event is conducted by the eSports event operator, including, without limitation, eSports event rules and certification from a third party, such as an eSports event operator or the game publisher, that the eSports event meets the Commission's event integrity requirements;

(g) The name of any Sports Governing Body or equivalent organization, as authorized by the Commission;

SLS oversees their own events.

(h) To the extent known by the petitioner(s), a description of policies and procedures regarding event integrity;

U.S. Integrity has been contracted to handle Monitoring of both wagering and event activity.

Implemented policies whereby SLS athletes are not allowed to wager on SLS in any way.

Implemented policies whereby SLS staff and employees are not allowed to wager on SLS in any way.

Any other information or material requested by the Bureau or Commission.

None at this time

(4) The Commission shall not grant the petition and authorize the Sporting Event or Wager Category unless the following minimum criteria are met:

(c) The outcome can be verified;

As well as being live streamed on ESPN + all events have live resulting available at the SLS website (<https://www.streetleague.com>) and social media channels

(b) The Sporting Event generating the outcome is conducted in a manner that



Sports Wagering Division

ensures sufficient integrity controls exist so the outcome can be trusted;

Described in Section (h) above

(d) The outcome is not likely to be affected by any Sports Wager placed; and In addition to aforementioned policies. Each SLS competitor is paid a minimum show fee of \$3000 with the winner receiving \$50,000 per event further deterring undue influence on athletes.

(d) The Sporting Event is conducted in conformity with all applicable laws.

The athletes sign contracts with strict Code of Conduct language. With anti-gambling language included in the documentation they sign.

(5) The Commission will consider the request, all provided materials, and any relevant input from the Sports Governing Body or the conductor of the Sporting Event prior to authorizing a Sporting Event or Wager Category.

Currently in application phase.

(6) In its sole discretion, the Commission may require an appropriate test or experimental period, under such terms and conditions as the Commission may reasonably require, before granting final approval to a Sporting Event or Wager Category.

Undetermined at this time.

(7) In its sole discretion, the Commission may subject any technology that would be used to offer a Sporting Event or Wager Category to testing, investigation, and approval.

Undetermined at this time.

(8) The Commission may grant, deny, limit, restrict, or condition a request made pursuant to this rule, and may revoke, suspend, or modify any approval granted under this rule.

Undetermined at this time.

(9) The Commission shall notify all Sports Wagering Operators of any changes to



Sports Wagering Division

authorized Sporting Events and Wager Categories.

Not approved yet

(10) The Commission may prohibit the acceptance of any Sports Wagers, and may order the cancellation of Sports Wagers and require refunds on any Sporting Event or Wager Category, for which wagering would be contrary to the interests of the Commonwealth.

Not approved yet

(11) If a Sports Wagering Operator offers an unauthorized or prohibited Sporting Event or Wager Category, the Sports Wagering Operator must immediately cancel and refund all Sports Wagers associated with the unauthorized or prohibited Sporting Event or Wager Category. The Sports Wagering Operator must notify the Commission promptly after cancelling and refunding the Sports Wagers.

Not applicable during review

(12) The Commission may use any information it considers appropriate, including, but not limited to, information received from a Sports Governing Body, in determining whether to authorize or prohibit wagering on a particular Sporting Event or Wager Category.

Initial phase currently

247.03: Petition for a Sporting Event or Wager Category - USPMGA

(1) Any Person may petition the Commission for approval of a new Sporting Event or Wager Category. ***U.S. Integrity***

(2) A proposed new Sporting Event or Wager Category may be a variation of an authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category. ***New Sporting Event***



Sports Wagering Division

(3) A petition for a proposed new Sporting Event or Wager Category shall be in writing and must include, at a minimum, the following information:

(m) The name(s) and address(es) of petitioner(s);

2470 St. Rose Pkwy, #214

Las Vegas, NV 89074.

702-522-9545

USIntegrity.com

(n) The name of the Sporting Event or Wager Category;

USPMGA (governance oversight body for World Putting League)

(c) Whether the Sporting Event or Wager Category is a variation of an

authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category;

New Sporting Event

(o) The name of any Sports Wagering Operator sponsoring the petition;

None at this time

(e) A complete and detailed description of the Sporting Event or Wager

Category for which approval is sought, including:

1. A summary of the Sporting Event or Wager Category and the manner in which Sports Wagers would be placed and winning Sports Wagers would be determined;

The US Pro Minigolf Association (USPMGA) was founded in 1997 by serial entrepreneur and sports executive Bob Detwiler. Since it's founding the sport has flourished, growing from one event (the Masters, held at Myrtle Beach) to two major championships (the Masters and the US



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Open) and four satellite events held throughout the U.S. The sport now has over 100 active professionals competing in these events. The USPMGA has been featured on CBS, ABC, NBC, VICE Magazine and the New York Times. Current sponsors include Coca-Cola, Subway, Krispy Kreme and Sandhills Bank. The USPMGA is the official US affiliate of the World Minigolf Sport Federation (WMF).

Wager Types:

- Over/Under score on each player (what will they finish with at the end of their round)
- Over/Under aggregate number of Birdie's, Par's, and Bogey's for each player for the tournament and per round
- Over/Under number of holes in 1 each player will register and total number of holes in 1 throughout the tournament
- Over/Under number of holes in 1 scored on each specific hole
- Top 10, Top 5, and outright winner. Where will the golfer place at the end of the tournament

2. A draft of the proposed House Rules, including a description of any technology that would be utilized to offer Sports Wagering on the Sporting Event or Wager Category;

N/A

3. Any rules or voting procedures related to the Sporting Event or Wager Category;

Scorekeeping by players:

1. Changes to the score can only be made within the bounds of the expressly permitted possibilities.

2. A player's score is kept by his playing partner, the hole judge (volunteer marshal), or a scorekeeper

appointed by the head referee or the tournament organizers. In groups of 2 (two) or more players the last

player keeps score for the first and the first for the second.

3. Before the score is entered in the scorecard it should be announced.



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4. Entries in the scorecard should be carefully carried out immediately after being announced. Great care should be taken that the correct score is entered in the correct place.
5. Unless it has been otherwise determined, it is forbidden for a group of players to have their own scorekeeper.
6. Each player should make sure on submission of his scorecard that the entries have been correctly made, even when a special scorekeeper has done the scorekeeping.
7. Incorrect entries should be corrected under the observance of 9 (nine) and 10 (ten).
8. Incorrect entries should be crossed out in such a way that they remain legible, and the correct score should be written next to it and initialed.
9. In groups of 2 (two) players corrections should be made and initiated by a referee, and in larger groups only when there is a disagreement within the group. If there is agreement, the correction is made by the scorekeeper and initiated by all players of that group. When a referee and the whole group makes a change and where applicable the scorekeeper should be consulted as to whether the change is justified.
10. Each player is responsible for the correct keeping of their score.
11. A change can no longer be made if a subsequent score has already been entered for the player concerned.
12. At the end of a round each player is obliged to work out or check their score along with their partner(s).
The player should initial their own upon completion of each round.



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13. The scorecards are issued as a complete set (ordered 1-2-3) to the entire group of players. In a group of

3 (three), player 3 (three) gives the scorecard to player 1 (one). Player 1 (one) can check the entry. Player 1 (one) notes the score for player 2 (two) then gives the scorecards to player 2 (two) who will then check their own score before noting the score for player 3 (three). Player 3 (three) takes the cards and checks their score. The group can then go to the next hole. The scorecards should always be given from 1 (one) player to another as a complete set and in such a way that the score of the player receiving them is visible to him.

4. Assurance that the Sporting Event or Wager Category meets the requirements of 205 CMR 247.03(4);

Resulting is available on the website. See website: www.prominigolf.com

Additionally all events are live streamed on Instagram and Facebook

5. Whether and to what extent the outcome of the Sporting Event or Wager Category is determined solely by chance;

There are a minimum of two head referees that oversee each event. One of these referees is on the front

nine holes of the course while the other will oversees the back nine holes. If the tournament runs on more

than one course, there are additional referees to maintain that structure. For example, the Masters is played

on three different courses, so there is six head referees. In addition to the head referee's there are volunteer

marshals on each hole.

Players' scores are generally kept and verified by the other players in their group (four total players in a

group) but the marshal is there to double check and ensure there is no foul play occurring within the group.

(f) If the proposed Sporting Event or Wager Category is based on eSports



Sports Wagering Division

activities, complete information about: **Not Applicable**

1. The proposed location(s) of the eSports event(s);
2. The video game used for the eSports event, including, without limitation, the publisher of the video game;
3. The eSports event operator, whether the eSports event operator is approved to host events by the video game publisher, and whether the eSports event operator has any affiliation with the video game publisher;
4. The manner in which the eSports event is conducted by the eSports event operator, including, without limitation, eSports event rules and certification from a third party, such as an eSports event operator or the game publisher, that the eSports event meets the Commission's event integrity requirements;

(g) The name of any Sports Governing Body or equivalent organization, as authorized by the Commission;

USMPGA is an Oversight Commission

(h) To the extent known by the petitioner(s), a description of policies and procedures regarding event integrity;

U.S. Integrity has been contracted to handle Monitoring of both wagering and event activity.

USPMGA has a number of policies in place to ensure the health and safety of its competitors and fair competition,

further detail of which can be found here: [Members-Rulebook1.pdf \(prominigolf.com\)](#).

Highlights include;

- Procedures for approving courses and holes
- All golfers must use USPMGA approved balls



Sports Wagering Division

- Only one golf ball allowed per hole
- Practice strokes or rolling of balls on runs strictly prohibited
- Minimum of 4 foot must be kept from a ball in play, with the exception of the player
- No objects may be put on the playing surface during the tournament
- No markings on or near the runs permitted by players
- Playing aids (aiming devices or spirit levels) are forbidden
- Consuming alcohol or drugs before and during a tournament is forbidden
- Mobile phones or other electrical devices/receivers are not to be carried along in an operational state

Any other information or material requested by the Bureau or Commission.

None at this time

(4) The Commission shall not grant the petition and authorize the Sporting Event or Wager Category unless the following minimum criteria are met:

(d) The outcome can be verified;

Outcome can be verified via live stream, and via the website www.prominigolf.com

(b) The Sporting Event generating the outcome is conducted in a manner that ensures sufficient integrity controls exist so the outcome can be trusted;

Described in Section (h) above

(e) The outcome is not likely to be affected by any Sports Wager placed; and
Here is the Anti Gambling Policy:

A player shall not have any financial interest, either direct or indirect, in the performance or the winnings of another player or themselves in any tournament cosponsored, coordinated, approved or otherwise sanctioned by the USPMGA TOUR, whether through purse-splitting, prize money “insurance,” financial assistance, bets or otherwise.

Any player who violates these provisions shall be subject to a suspension from tournament play for a minimum period of two (2) years.



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A player shall not do any of the following:

1. Fail to give his best efforts in competition.
2. Gamble on anything relating to the USPMGA TOUR
3. Associate with or have dealings with persons whose activities, including gambling, might reflect adversely upon the integrity of the game of Mini Golf.
4. Bet money or anything of value on a Mini Golf tournament or similar event, whether or not the player is a competitor in such a competition.
5. Offer or give a bribe, gift, payment, reward or anything of value to any player with the intention of influencing his efforts in a competition.
6. Solicit, agree to accept or accept a bribe, gift, payment, reward or anything of value offered or given with the intention of influencing the player's efforts in a competition.
7. Fail to report promptly to the Commissioner any known or suspected offer, bribe, gift, payment, reward or anything of value, or any agreement or acceptance or bet described in the foregoing.

(d) The Sporting Event is conducted in conformity with all applicable laws.

The athletes sign contracts with strict Code of Conduct language. With anti-gambling language included in the documentation they sign.

(5) The Commission will consider the request, all provided materials, and any relevant input from the Sports Governing Body or the conductor of the Sporting Event prior to authorizing a Sporting Event or Wager Category.

Currently in application phase.

(6) In its sole discretion, the Commission may require an appropriate test or experimental period, under such terms and conditions as the Commission may reasonably require, before granting final approval to a Sporting Event or Wager



Category.

Undetermined at this time.

(7) In its sole discretion, the Commission may subject any technology that would be used to offer a Sporting Event or Wager Category to testing, investigation, and approval.

Undetermined at this time.

(8) The Commission may grant, deny, limit, restrict, or condition a request made pursuant to this rule, and may revoke, suspend, or modify any approval granted under this rule.

Undetermined at this time.

(9) The Commission shall notify all Sports Wagering Operators of any changes to authorized Sporting Events and Wager Categories.

Not approved yet

(10) The Commission may prohibit the acceptance of any Sports Wagers, and may order the cancellation of Sports Wagers and require refunds on any Sporting Event or Wager Category, for which wagering would be contrary to the interests of the Commonwealth.

Not approved yet

(11) If a Sports Wagering Operator offers an unauthorized or prohibited Sporting Event or Wager Category, the Sports Wagering Operator must immediately cancel and refund all Sports Wagers associated with the unauthorized or prohibited Sporting Event or Wager Category. The Sports Wagering Operator must notify the Commission promptly after cancelling and refunding the Sports Wagers.

Not applicable during review

(12) The Commission may use any information it considers appropriate, including, but not limited to, information received from a Sports Governing Body, in determining



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whether to authorize or prohibit wagering on a particular Sporting Event or Wager Category.

[Initial phase currently](#)

247.03: Petition for a Sporting Event or Wager Category - Magic City Jai-Alai

(1) Any Person may petition the Commission for approval of a new Sporting Event or Wager Category. [U.S. Integrity](#)

(2) A proposed new Sporting Event or Wager Category may be a variation of an authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category. [New Sporting Event](#)

(3) A petition for a proposed new Sporting Event or Wager Category shall be in writing and must include, at a minimum, the following information:

(p) The name(s) and address(es) of petitioner(s);

[2470 St. Rose Pkwy, #214](#)

[Las Vegas, NV 89074.](#)

[702-522-9545](#)

[USIntegrity.com](#)

(q) The name of the Sporting Event or Wager Category;

[Magic City Jai-Alai](#)

(c) Whether the Sporting Event or Wager Category is a variation of an authorized Sporting Event or Wager Category, a composite of authorized Sporting Events or Wager Categories, or a new Sporting Event or Wager Category;

[New Sporting Event](#)

(r) The name of any Sports Wagering Operator sponsoring the petition;

[None at this time](#)

(e) A complete and detailed description of the Sporting Event or Wager



Sports Wagering Division

Category for which approval is sought, including:

1. A summary of the Sporting Event or Wager Category and the manner in which Sports Wagers would be placed and winning Sports Wagers would be determined;

Rush Street Interactive, a licensed operator in eight states is requested that wagering be allowed on 2021 Jai-Alai on a fixed odds basis. Rush Street Interactive had partnered with U.S. Integrity for monitoring and integrity services, and Kambi for odds making and distribution during this time. Rush Street Interactive requested the following wager types be permitted.

- Full Match Winner odds
- Set X – Winner
- Point X – Winner
- Over/Under points in Set X
- Set betting, i.e. 2-0, 2-1, 1-2 or 0-2
- Set handicap
- Race to 3 points in Set X

It is the understanding of the Massachusetts Gaming Commission that these would be offered to the Commonwealth's licensees as their options.

2. A draft of the proposed House Rules, including a description of any technology that would be utilized to offer Sports Wagering on the Sporting Event or Wager Category;

BATTLE COURT RULES

WORLD JAI ALAI LEAGUE reserves the right to change these and any other applicable rules, bylaws, or governing documents at any time without notice.



Sports Wagering Division

THE LEAGUE.

BATTLE COURT (the “League”) is a professional jai alai league operated in Miami, Florida under the governance of the World Jai Alai League. The League offers “head-to-head” jai alai action with a team concept, a different kind of play than the parimutuel jai alai activity that had traditionally been operated.

The League shall be comprised of five (5) teams, known as the Cesta Cyclones, Dejada Devils, Lifestyle Miami Chargers, Rebote Renegades, and Wall Warriors. Each of the teams shall be comprised of six (6) players. The League may expand the number of teams from time to time.

The teams are owned by the World Jai Alai League, and all players, coaches, referees, and other Battle Court staff are employees of the League. The League is operated and regulated by those with authority in the League Office and is subject to and governed by the Battle Court rules, bylaws, and any other governing documents created, amended, and/or promulgated by the League Office. All sponsorships, deals, seasonal ownership agreements, or other contractual relationships with third parties as between the League, teams, players, or any other employees of the League are subject to and in the sole discretion of the League Office.

SCHEDULE.

Battle Court is a seasonal jai alai league that plays in various 9-13-week seasons throughout the calendar year. The League Office determines the dates and times of play, as well as the duration of each season.

Each live play day for Battle Court will feature six (6) total matches with up to three (3) Singles matches and up to four (4) Doubles matches between the same two (2) teams.

TEAM MAKEUP.

Players in each team shall be ranked in Singles and Doubles play by the League Office in the League Office's sole discretion.



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Each team will thus have five (5) Singles players ranked S-1 through S-5 and one additional player designated for Doubles play only. Players on each respective team shall compete against one another according to rank. Players only compete in Singles matches against equally ranked players. For example, the player ranked S-1 on the Cesta Cyclones would play the player ranked S-1 on the Dejada Devils, and so forth.

Each team shall form a total of six (6) Doubles pairings. As each team shall be made up of six (6) players, each player must be on two Doubles pairings. No player can be on more than two (2) Doubles pairings except due to an injury.

The team may designate the Doubles pairings as D-1, D-2, D-3, D-4, D-5, and D-6 subject to approval of such designations by the League Office.

Pairings designated as D-3 and D-4 on each team may compete against one another, and pairings designated as D-5 and D-6 may compete against each other. No Doubles pairing may be made of the S-5 designated player and the designated Doubles player.

Each team will be designated as the “home” or “visiting” team in an equal number of matches. The “visiting” team will serve first in all matches.

In the event of a match day “scratch” of a player in Singles or Doubles, only a lower ranked player (by Singles designation) or the designated Doubles player may be substituted. Substitutions can be done pre-match and in-match based on injury occurring during play. If no lower ranked player is available, that match will be declared a forfeit.

In the event of a long-term injury (more than 3 calendar days), a list of “Taxi Squad” players will be made available by the League Office, and a team can select from that list or elect to play under the “scratch” policy. If the injured player is the designated Doubles player, the substitution must come from the League-provided list of “Taxi Squad” players. If the injured player is designated as S-5 in Singles, the team must choose to substitute the Doubles only designated player or choose from the League-provided list of “Taxi Squad” players. Lineups can be adjusted after the addition



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of the “Taxi Squad” player if requested by the team and approved by the League Office. “Taxi Squad” players will be given an “S” level designation by the League and cannot play at a level lower than this designation. For example, a “Taxi Squad” player designated as S-3 can only play at the S-1, S-2, or S-3 level of play. The same holds true for a “Taxi Squad” player competing in Doubles as he can only replace a player of equal or higher “S” level designation.

DRAFT.

A player draft will be held approximately 15 to 45 days prior to the ensuing season of Battle Court.

The teams finishing last and 2nd to last in the prior season will “freeze” two (2) players, the teams finishing 2nd and 3rd in the prior season will freeze up to three (3) players and the prior season’s championship team shall have the right to freeze up to four (4) players on their current roster prior to the draft. A “frozen” player will remain at their same Singles ranking for the upcoming season of Battle Court. The decision of who to freeze will be made by the team owner or, in the event no team owner exists, by the League Office. “Frozen” players must be submitted to the League Office no less than seven (7) days prior to the draft.

The drafting order will be determined by the reverse order of finish in the previous season. Each round starts with the team that finished with the least amount of total points and ends with the Battle Court Champions. In the event an expansion team is added to the League, they will draft in the middle position when they are increasing the number of teams in the League to an odd number and directly after the middle position when they will constitute an even number of teams in the League.

In rounds where teams have protected players, they will “forfeit” their pick in that round, and the other teams will automatically “move up” in the draft selection order.

Any players not drafted within two (2) subsequent rounds of their prior season’s Singles ranking level will automatically be placed on the “Taxi Squad” and not be eligible for draft selection until the following season. At that time, they will be open to selection in any round of the draft.

A player can only be “frozen” at his Singles ranking for three full Battle Court seasons exclusive of a number “1” ranked player. Going into the next season, if the team wants to “freeze” that same player again, the team must move the player up to a higher Singles rank. If they do not choose to move the player up in ranking, he will become eligible for selection in the ensuing draft.

Upon conclusion of the “drafting” portion of Draft Day, the owner, General Manager, and players will have approximately 75 minutes to compose their six (6) Doubles pairings and submit them



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for approval and announcement by the League Office. A Doubles pairing may not consist of the number five (5) and number six (6) ranked players on any team.

LEADERSHIP.

A Team Captain for each of the teams shall be appointed by the team owner, or in the event no owner exists, by the League Office at the sole discretion of the League Office. The Team Captain is the only non-player allowed in the player seating cage during a Battle Court match. When the Captain is competing in a match, one player, designated by the Captain, may take his place in the player cage.

PLAY.

Battle Court is played between two Singles players or two Doubles pairings. The Magic City Jai Alai Court, also known as the “cancha,” is a three-sided playing court, made of three walls – front, side (left) and back – and the floor between them. The court is 120 feet long, the length noted by parallel lines on the side wall every 10 feet, numbered from 1 through 13. Line one (1) is at the front wall side, and numbers continue to line thirteen (13) at the back wall. The service line, underserve and overserve lines are marked in red on the floor and the side wall. The out of bounds boundary line is also marked in red on the floor on the “open” side of the court, and out of bounds at the front and back walls are also designated in red. Players are required to wear a basket or “cesta” on their right hand.

Battle Court matches are composed of sets played to six points. The first player or team to win two sets is declared the winner of the match. The server is allowed two serves, specifically allowing for a second serve only if the first serve is either an underserve or an overserve. The player or team winning the point retains the serve within a set. The player or team losing the prior set is designated to serve first in the next set.

Each serve requires the player serving to bounce the ball behind the service line, then in one continuous motion, serve the ball off the front wall (the ball must strike the front wall before it comes in contact with the side wall), and the ball must land in the service box on its first bounce. The service box is designated as the space between the 4 line and the 7 line.



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The object of the game is to place the ball where the opponent cannot return the ball, when caught on the fly or after one bounce, to the field of play. The ball must be caught and returned in one fluid motion. “Holding” the ball, “juggling” the ball, or anything that breaks the continuous motion, as well as failing to return the ball caught in the air or after one bounce, results in a loss of point. Interference may be ruled if, in the judge’s opinion, the location or action of a player prevented the receiving player from returning the ball and the receiving player requests interference and does not make an attempt to play the ball.

A player or team scores a point if the opposing player or team:

1. Fails on two consecutive attempts to serve the ball so that it lands between the underserve and overserve lines
2. Fails to catch the ball on the fly or after one bounce
3. Holds or juggles the ball, preventing a return in one continuous motion
4. Throws the ball out of bounds or intentionally interferes with a player trying to catch the ball.
5. Gets hit by the ball they have just thrown

POINTS.

Winners of Singles matches earn one (1) point for their team. Winners of Doubles matches earn one and a half (1.5) points for their team.

The two (2) teams earning the most points during the particular Battle Court seasons will meet in the Battle Court Championship. The League, at its discretion, may determine to have a playoff for the second (2nd) spot in the Championship game by holding a match between the teams finishing second (2nd) and third (3rd) during the regular season. The playoff would follow the rules of the Championship with the team finishing second (2nd) during the regular season determining which Doubles pairing does not compete in the playoff round.

In the event of a tie for first (1st) or second (2nd) place during the regular season, the Team versus Team match record will determine the higher ranking of the two.



Players will earn prize money for each match won, and there will be Championship prize money for the teams finishing first (1st) and second (2nd).

CHAMPIONSHIP.

The Championship will consist of five (5) Doubles matches.

The team that accumulated the most points or, in the event of a tie, has the higher Team versus Team ranking, during the regular Battle Court season shall determine which Doubles pairing does not compete in the Championship Finals.

The first team to win three (3) matches will win the overall Championship.

In the event of a tie for first (1st) or second (2nd) place during the regular season, the Team versus Team match record will determine the higher ranking of the two.

SCORING SYSTEM.

In addition to the on-court judges verifying each winning point, a dual point scoring system is utilized to ensure accuracy. A dedicated scorekeeper assigns the winning point into the scoring system, and an announcer also independently assigns the point into the system. When in agreement, the point is awarded and the scoreboard updates. When there is a discrepancy, the point is not awarded until it is verified that the judges, scorekeeper and announcer are in agreement.

3. Any rules or voting procedures related to the Sporting Event or Wager Category;

Not Applicable

4. Assurance that the Sporting Event or Wager Category meets the requirements of 205 CMR 247.03(4);



See (4) below

5. Whether and to what extent the outcome of the Sporting Event or Wager Category is determined solely by chance;

This is 100% a skill-based outcome

(f) If the proposed Sporting Event or Wager Category is based on eSports activities, complete information about: **NOT APPLICABLE**

1. The proposed location(s) of the eSports event(s);
2. The video game used for the eSports event, including, without limitation, the publisher of the video game;
3. The eSports event operator, whether the eSports event operator is approved to host events by the video game publisher, and whether the eSports event operator has any affiliation with the video game publisher;
4. The manner in which the eSports event is conducted by the eSports event operator, including, without limitation, eSports event rules and certification from a third party, such as an eSports event operator or the game publisher, that the eSports event meets the Commission's event integrity requirements;

(g) The name of any Sports Governing Body or equivalent organization, as authorized by the Commission;

Magic City Jai-Alai is governed by the World Jai Alai League with licensing of all personnel by the Florida Department of Business and Professional Regulation. All players are required to pass an FBI background check and drug test in order to obtain a license from the State of Florida and employment from the World Jai Alai League.

(h) To the extent known by the petitioner(s), a description of policies and procedures regarding event integrity;



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Each jai alai performance has 2 judges [play can occur with 1 judge if necessary] - Judges are generally former professional players with detailed knowledge of the game and the rules. Judges are overseen by the "player-manager" who has oversight for the player roster and the hiring of judges.

U.S. Integrity has been contracted to handle Monitoring of both wagering and event activity. Before competition, pursuant to Florida Statute 550.105 and 550.24055, all players are required to obtain a pari-mutuel license which includes a federal criminal background check as well as preliminary and randomized drug testing. In addition, each Magic City player is subject to legal ramifications for engaging in match-fixing or any other action that threatens the integrity of the sport per Florida Statute 550.235.

- (i) Any other information or material requested by the Bureau or Commission.
None at this time

(4) The Commission shall not grant the petition and authorize the Sporting Event or Wager Category unless the following minimum criteria are met:

- (e) The outcome can be verified;

The scoring system automatically updates the World Jai Alai League website. The outcome of every point, set and match can be verified at <https://jaialaiworld.com/battlecourt#Matches&Results> or by watching the playback from the video archives found here <https://www.watchjaialai.com>

- (b) The Sporting Event generating the outcome is conducted in a manner that ensures sufficient integrity controls exist so the outcome can be trusted;

Section (h) above

(f) The outcome is not likely to be affected by any Sports Wager placed; and Magic City has taken the extra steps as to contract U.S. Integrity to ensure that the league is implementing the highest standard of integrity policies and procedures as well as monitoring for any suspicious or abnormal wagering or event activity. In addition, each Magic City player is subject to legal ramifications for engaging in match-fixing or any other action that threatens the integrity of the sport per Florida Statute 550.235. The oversight agency is headquartered in Tallahassee, Florida, but the DBPR maintains an on-site office at the Magic City fronton. All games are recorded and archived for a 2-year period and are available live via the Jai-Alai Channel on YouTube.

- (d) The Sporting Event is conducted in conformity with all applicable laws.



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The athletes sign contracts with strict Code of Conduct language. Below is just one small excerpt included in all player contracts. _ Player will comply with and obey all valid rules, regulations, ordinances, statutes, and laws of the Company, the Division of Pari-Mutuel Wagering, the State of Florida, and the United States. As a professional athlete subject to close public scrutiny, Player will conduct his professional and his personal affairs in an exemplary manner.

(5) The Commission will consider the request, all provided materials, and any relevant input from the Sports Governing Body or the conductor of the Sporting Event prior to authorizing a Sporting Event or Wager Category.

Currently in application phase. Reviewed and approved for voting.

(6) In its sole discretion, the Commission may require an appropriate test or experimental period, under such terms and conditions as the Commission may reasonably require, before granting final approval to a Sporting Event or Wager Category.

Undetermined at this time.

(7) In its sole discretion, the Commission may subject any technology that would be used to offer a Sporting Event or Wager Category to testing, investigation, and approval.

Undetermined at this time.

(8) The Commission may grant, deny, limit, restrict, or condition a request made pursuant to this rule, and may revoke, suspend, or modify any approval granted under this rule.

Undetermined at this time.

(9) The Commission shall notify all Sports Wagering Operators of any changes to authorized Sporting Events and Wager Categories.

Not approved yet. Will be addressed if needed during voting period.

(10) The Commission may prohibit the acceptance of any Sports Wagers, and may order the cancellation of Sports Wagers and require refunds on any Sporting Event or



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Wager Category, for which wagering would be contrary to the interests of the Commonwealth.

Not approved yet

(11) If a Sports Wagering Operator offers an unauthorized or prohibited Sporting Event or Wager Category, the Sports Wagering Operator must immediately cancel and refund all Sports Wagers associated with the unauthorized or prohibited Sporting Event or Wager Category. The Sports Wagering Operator must notify the Commission promptly after cancelling and refunding the Sports Wagers.

Not applicable during review. Will be a qualifier if offered by an operator.

(12) The Commission may use any information it considers appropriate, including, but not limited to, information received from a Sports Governing Body, in determining whether to authorize or prohibit wagering on a particular Sporting Event or Wager Category.

Initial phase currently

From: Scott Stover <sstover@baa.org>
Sent: Wednesday, April 5, 2023 8:22 PM
To: Judd-Stein, Cathy <cathy.judd-stein@massgaming.gov>
Cc: Jack Fleming <Fleming@baa.org>
Subject: B.A.A. & The Boston Marathon

To: Commissioner Judd-Stein, Massachusetts Gaming Commission

The Boston Athletic Association has received media inquiries regarding a reported proposal to be considered by the Massachusetts Gaming Commission to allow wagering on the 2023 Boston Marathon, being held on Monday, April 17. The Boston Athletic Association has not been consulted in this matter and have concerns related to this proposal, as the Boston Marathon is only 12 days from today.

Planning for the 2023 Boston Marathon has been underway for more than a year and is in its final stages. In preparing for this year's events, we have worked with countless constituents, ranging from the local, national, and international level.

At this moment, there is not sufficient time for the Boston Athletic Association, nor its many partners and agencies, to coordinate and fully ensure proper protocols are in place to support such a proposal for wagering on our event. Without time to undergo analysis and proper due diligence, we are concerned about how such an expedited approval would potentially impact the event. Until we can complete due diligence, our concerns include, but are not limited to, ensuring event security and potential influence on the outcome of the race.

Further, The Boston Marathon is a trademarked and protected name, and the Boston Athletic Association has not granted permission to use this trademark in relation to this proposal.

Thank you for your consideration of our concerns in this matter.

Copy to: Jack Fleming, President & CEO, Boston Athletic Association

Best Regards,
Scott

Scott Stover

Chief Marketing Officer | Boston Athletic Association
1 Ash Street, Hopkinton, MA 01748