



## NOTICE OF MEETING AND AGENDA

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

**Wednesday | June 21, 2023 | 9:00 a.m.**  
**VIA CONFERENCE CALL NUMBER: 1-646-741-5292**  
**MEETING ID/ PARTICIPANT CODE: 111 749 0287**

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](http://www.massgaming.com).

### **PUBLIC MEETING #148**

- 1) Call to Order – Cathy Judd Stein, Chair
- 2) Minutes from Commission Agenda Setting Meetings
  - a) May 24, 2023 **VOTE**
  - b) June 7, 2023 **VOTE**
- 3) Agenda Planning for Upcoming Public Commission Meetings. (See following pages.)
- 4) Commissioner Updates
- 5) Other Business – Reserved for matters the Chair did not reasonably anticipate at the time of posting.

I certify that on this date, this Notice was posted as “Massachusetts Gaming Commission Meeting” at [www.massgaming.com](http://www.massgaming.com) and emailed to: [regs@sec.state.ma.us](mailto:regs@sec.state.ma.us). **Date Posted to Website:** June 16, 2023 | 9:00 a.m. EST

June 16, 2023

Cathy Judd-Stein, Chair

*If there are any questions pertaining to accessibility and/or further assistance is needed, please contact Grace Robinson at [grace.robinson@massgaming.gov](mailto:grace.robinson@massgaming.gov).*



Massachusetts Gaming Commission

**MASSACHUSETTS GAMING COMMISSION  
AGENDA PLANNING**

**UPCOMING MEETING SCHEDULE**

<b>Date</b>	<b>Type</b>	<b>Topic</b>
23-Jun	Adjudicatory Hearing	PPC Individual Qualifier
29-Jun	Public Meeting	General
11-Jul	Public Meeting	General
12-Jul	Agenda Setting	
12-Jul	Public Meeting	Regulations
26-Jul	Agenda Setting	
27-Jul	Public Meeting	General
2-Aug	Agenda Setting	
10-Aug	Public Meeting	General
16-Aug	Agenda Setting	
24-Aug	Public Meeting	General
30-Aug	Agenda Setting	

**MEETING DATE**  
**JUNE 29, 2023 | 9:00AM**

#	Agenda Item Topic	MCG Representative
1	Administrative Update: Casino Update from Cain, B.	Wells, K.
2	Meeting Minutes: Dec 22, Jan 3	Young, J.
3	Legislative Update	Hill, B.; Robinson, G.
4	Regulations: Play Management	Grossman, T.
5	Sports Wagering: Lottery Update House Rules Updates	Band, B.
6	FY24 Budget Final Review	Skinner, N.; Lennon, D.
7	Succession of Officers and Positions - Document Vote	O'Brien, E.
8	GameSense Quarterly Report	Vander Linden, M.; Banh, L.
9	VSE Update	Banh, L.
10	Springfield Community Driven Research Project	Vander Linden, M.
11	Request to Escrow RHDF	Lightbown, A.
12	Jockeys Guild Recognition – Mindy Coleman, Attorney for the Jockeys’ Guild	Lightbown, A.
13	Quarterly Local Aid Payments, Q3 FY23 -Chad Bourque, Financial Analyst	Lightbown, A.
14	Quarterly Local Aid Payments, Q4 FY23- Chad Bourque, Financial Analyst	Lightbown, A.

**MEETING DATE**  
JULY 11, 2023 | 10:00AM

#	Agenda Item Topic	MCG Representative
1	Administrative Update	Wells, K.
2	Meeting Minutes	Young, J.
3	Legislative Update	Hill, B.; Robinson, G.
4	Regulations	Grossman, T.
5	Sports Wagering	Band, B.
6	EBH Expansion Continued Discussion	Delaney, J.
7	Succession of Officers Vote	All Commissioners
8	Requests from PPC (5)	Lightbown, A.

**MEETING DATE**  
JULY 12, 2023 | 10:00AM

#	Agenda Item Topic	MCG Representative
1	Administrative Update	Wells, K.
2	Minutes	Grossman, T.
3	Regulations	Grossman, T.

NOTE: Regulations meeting only.

## UNDER REVIEW

#	Agenda Item Topic	MCG Representative
1	ILEV Review Process	Delaney, J.; Grossman T.; Hill, B.
2	Encore Broadway Expansion	Delaney, J.
3	Racing/Racing ADW Regulations & Racing Application Review	Grossman, T.; Lightbown, A.
4	Compliance Committee	O'Brien, E.
5	HCA compliance update (All Properties)	Skinner, N.; Delaney, J.
6	90 Day Audit	Band, B.
7	Delegation of Authority Vote	Maynard, J.; Lightbown, A.
8	MGM Beverage License	O'Brien, K.

*Assigned meeting dates are subject to change*



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**Massachusetts Gaming Commission**  
**Agenda Setting**  
**Meeting Minutes**

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**Date/Time:** May 24, 2023 – 10:00 a.m. EST

**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
MEETING ID: 111 533 1502

**Call to Order**

Chair Judd-Stein called to order Agenda Setting Meeting #146 of the Massachusetts Gaming Commission (“Commission”).

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

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

Approval of Meeting Minutes  
(a) May 10, 2023

Commissioner Hill moved to approve the minutes from the May 10, 2023 Agenda Setting meeting, included in the Commissioners’ Packet, subject to any necessary edits for typographical errors or other non-material matters. Commissioner Maynard seconded.

*Roll Call Vote:*

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

*The motion passed unanimously 5-0.*

## **Agenda Planning for Upcoming Commission Meetings**

*The Commission discussed the anticipated agendas for the upcoming meetings scheduled for May 30, 2023, June 1, 2023 and additional agenda items for subsequent meetings described in the attached agenda planning notice, as follows:*

### **Items For Public Meeting – May 30, 2023 – 10:30 AM**

Item #1 – Administrative Update – Executive Director Karen Wells confirmed this agenda item can be moved if more time was needed to review the Community Mitigation Fund applications.

Item #2 – Meeting Minutes – Associate General Counsel Judith Young confirmed this agenda item.

Item #3 – Legislative Update – Commissioner Hill confirmed this agenda item.

Item #4 – Regulations – The Legal Division confirmed no regulations would be presented at this meeting.

Item #5 – Sports Wagering – Director of Sports Wagering Bruce Band confirmed the Sports Wagering Division would have an amendment to present from Fanatics. Additionally, Sports Wagering Operations Manager Sterl Carpenter confirmed they would have three separate House Rule updates for the Commission.

Item #6 – Community Mitigation Fund Application Review – Community Affairs Division Chief Joseph Delaney confirmed this agenda item with 30 applications to review.

Add-on Item – 90-Day Audit – General Counsel Todd Grossman mentioned the Legal Division would be ready to bring a part of this back to the Commission for their consideration and possibly an extension of the regulatory timeframes.

### **Items For Public Meeting – June 1, 2023 – 10:00 AM**

Item #7 – Administrative Update – Executive Director Wells requested more time was needed to put together information requested by the Commission about the COVID vaccine requirement.

Item #8 – Meeting Minutes – Associate General Counsel Young confirmed that meeting minutes from December 15, 2022 would be discussed.

Item #9 – Legislative Update – Commissioner Hill confirmed this agenda item.

Item #10 – Regulations – Deputy General Counsel Caitlin Monahan confirmed this agenda item for the sports wagering regulations (205 CMR 257, 205 CMR 138, 205 CMR 238, 205 CMR 247,



and 205 CMR 248). General Counsel Grossman requested more time to share drafts for the horse racing regulations internally first.

Item #11 – Sports Wagering – Manager Carpenter confirmed the Sports Wagering Division would present a form for wager and event approvals.

Item #12 – Racing Application Review – General Counsel Grossman mentioned this agenda item can be moved to a further date once the racing regulations have been approved first.

Item #13 – Request to Escrow RHDF – Director of Racing Alexandra Lightbown requested this agenda item be moved to June 29, 2023.

Item #14 – EBH Patron and License Plate Report – Director of Research and Responsible Gaming Mark Vander Linden confirmed this agenda item.

Item #15 – FY24 Initial Review – Chief Financial and Accounting Officer Derek Lennon confirmed this agenda item.

Add-On Item – Delegation of Authority – Director Lightbown requested time to update the Commission on a new veterinarian hired by Plainridge Park and Casino who was considered a racing official.

### Adjudicatory Hearing – June 7, 2023 – 12:00 PM

The Commission will hold an adjudicatory hearing on June 7, 2023 at 12:00 PM.

### Items For Public Meeting – June 15, 2023 – 9:00 AM

Item #16 – Administrative Update – Executive Director Wells confirmed this agenda item would include a COVID update to the Commission.

Item #17 – Meeting Minutes – Associate General Counsel Young confirmed that meeting minutes from December 9, 2022 and December 29, 2022 would be reviewed for approval.

Item #18 – Legislative Update – Commissioner Hill confirmed this agenda item.

Item #19 - Regulations – The Legal Division confirmed this agenda item.

Item #20 – Sports Wagering – The Sports Wagering Division confirmed this agenda item.

Item #21 – CMF Application Final Review – Chief Delaney confirmed this agenda item.

Item #22 – VSE Update/GameSense Quarterly Report – Director Vander Linden confirmed this agenda item could be moved to a further date.

Add-On Item – Office Succession Presumptive Nomination Policy – Commissioner O’Brien requested this be added as an agenda item for the distribution of the draft.

#### Adjudicatory Hearing – June 23, 2023 – 10:00 AM

The Commission will hold an adjudicatory hearing on June 23, 2023 at 10:00 AM.

#### Items For Public Meeting – June 29, 2023 – 9:00 AM

Add-On Item – Casino Update – Field Manager Burke Cain requested time to provide an update on the casinos during the Administrative Update.

Item #23 – Administrative Update – Executive Director Wells confirmed this agenda item.

Item #24 – Meeting Minutes – Associate General Counsel Young confirmed that meeting minutes from December 22, 2022 and January 3, 2022 would be discussed.

Item #25 – Legislative Update – Commissioner Hill confirmed this agenda item.

Item #26 – Regulations – The Legal Division confirmed this agenda item.

Item #27 – Sports Wagering – The Sports Wagering Division confirmed this agenda item.

Item #28 – FY24 Budget Final Review – Chief Lennon confirmed this agenda item.

Add-On Item – Office Succession Presumptive Nomination Policy – Commissioner O’Brien requested this be added as an agenda item for the Commission vote on the presumptive nomination and rotation of officers.

Add-On Item – Recognition of Jockey Guild – Director Lightbown requested this be added to the agenda as the Jockey Guild was now ready.

#### Items Under Review for Future Meetings:

Item #29 – ILEV Review Process – Chief Delaney confirmed this item was still under review.

Item #30 – Encore Broadway Expansion – Chief Delaney confirmed this item would be discussed at a future meeting on June 6, 2023.

Item #31 – Compliance Committee – Commissioner O’Brien requested this item remain under review.

Item #32 - Springfield Community Driven Research Project – Director Vander Linden requested this item remain under review.

Item #33 – HCA Compliance Update (All Properties) – Commissioner Skinner requested to keep this item under review.

Item #34 – Recognition of Jockey Guild – Director Lightbown requested this item be moved to the June 29, 2023 public meeting.

Item #35 – Approval of Certificate of Operations – Director Band requested to keep this item under review.

Item #36 – Event Catalog Additions – Director Band requested to keep this item under review.

Item #37 – Standardize House Rules - Director Band requested to keep this item under review.

Item #38 – Review of Regulation Regarding “Risk Free” Advertising Phrasing – Commissioner O’Brien confirmed this item would be discussed at a future meeting.

Item #39 – 90 Day Audit – Director Band requested to keep this item under review.

Item #40 – Succession of Officers– Commissioner O’Brien confirmed this item would be discussed at a future meeting.

Add-On Item – Mission Statement – Chair Judd-Stein updated the Commission that she was forming a working group to update the Massachusetts Gaming Commission’s mission statement and that this item would be added to a meeting agenda in the future.

Add-On Item – Letter from State Gaming Commissions to Department of Justice – Chair Judd-Stein updated the Commission that she intends to bring forward a letter from various state gaming commissions addressed to the Department of Justice to prioritize combating illegal offshore sports books and online casinos and requested this be added as an agenda item at a future meeting.

Add-On Item – Sports Wagering Incident Reports – Director Band confirmed this item would be discussed at a future meeting.

Add-On Item – Follow-up Public Safety Executive Session – Chair Judd-Stein requested another follow-up meeting to discuss matters related to public safety.

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

*Roll Call Vote:*

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

*The motion passed unanimously. Meeting adjourned.*

**List of Documents and Other Items Used**

1. Notice of Meeting & Agenda, dated May 24, 2023
2. Agenda Setting Meeting Minutes, dated May 10, 2023

**FUTURE SCHEDULED MEETING DATES:**

May 30 (Public)  
June 1 (Public)  
June 7 (Agenda)  
June 15 (Public)  
June 21 (Agenda)  
June 29 (Public)  
July 11 (Public)  
July 12 (Agenda)  
July 12 (Public)  
July 26 (Agenda)  
July 27 (Public)  
August 2 (Agenda)  
August 10 (Public)  
August 16 (Agenda)  
August 24 (Public)  
August 30 (Agenda)



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## Massachusetts Gaming Commission Agenda Setting Meeting Minutes

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**Date/Time:** June 7, 2023 – 10:00 a.m. EST

**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
MEETING ID: 111 533 1502

### Call to Order

Chair Judd-Stein called to order Agenda Setting Meeting #147 of the Massachusetts Gaming Commission (“Commission”).

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

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

### Agenda Planning for Upcoming Commission Meetings

*The Commission discussed the anticipated agendas for the upcoming meetings scheduled for June 15, 2023, June 29, 2023 and additional agenda items for subsequent meetings described in the attached agenda planning notice, as follows:*

#### Adjudicatory Hearing – June 7, 2023 – 12:00 PM

The Commission will hold an adjudicatory hearing on June 7, 2023 at 12:00 PM.

#### Public Meeting – June 12, 2023 – 10:00 AM

Chair Judd-Stein noted this meeting is not listed on the meeting agenda. Executive Director Karen Wells confirmed this meeting was scheduled to review the application for a Category 2 sports wagering operator license.

#### Items For Public Meeting – June 15, 2023 – 9:00 AM

Item #1 – Administrative Update – Executive Director Wells confirmed she will present a memo at this meeting pertaining to COVID information that the Commission previously requested.

Item #2 – Meeting Minutes – The Legal Division confirmed that meeting minutes from December 9, 2022, December 15, 2023, and December 29, 2022 will be discussed.

Item #3 – Legislative Update – Commissioner Hill confirmed this agenda item.

Item #4 – Regulations: “Risk Free” Advertising Language – Deputy General Counsel Caitlin Monahan confirmed the Legal Division will present two regulations during this meeting.

Item #5 – Sports Wagering – Sports Wagering Business Manager Crystal Beauchemin confirmed the Sports Wagering Division would present uniform waivers at this meeting and include operator-provided reasoning and comments. Deputy General Counsel Monahan provided context about the public comments process.

Item #6 – CMF Application Final Review – Community Affairs Division Chief Joseph Delaney confirmed there will be 23 applications to review during this meeting.

Item #7 – Succession of Officers and Positions Document Distribution – Commissioner O’Brien confirmed this meeting will be the active distribution of the draft and a vote on the draft will be scheduled for a future meeting.

Add-On Item – Commissioner Update – Commissioner Hill confirmed this agenda item.

### Adjudicatory Hearing – June 23, 2023 – 10:00 AM

The Commission will hold an adjudicatory hearing on June 23, 2023 at 10:00 AM.

### Items For Public Meeting – June 29, 2023 – 9:00 AM

Item #8 – Administrative Update – Executive Director Wells confirmed that Interim Gaming Agents Chief Burke Cain will provide an update on activities at the casino.

Item #9 – Meeting Minutes – Associate General Counsel Judith Young confirmed that meeting minutes from December 22, 2022 and January 3, 2022 will be discussed.

Item #10 – Legislative Update – Commissioner Hill confirmed this agenda item.

Item #11 – Regulations – The Legal Division confirmed this agenda item.

Item #12 – Sports Wagering – The Sports Wagering Division confirmed they will provide a lottery update, house rule updates, and event wagers.

Item #13 – FY24 Budget Final Review – Chief Financial and Accounting Officer Derek Lennon confirmed this agenda item.

Item #14 – Request to Escrow RHDF – Director of Racing Alexandra Lightbown confirmed this agenda item.

Item #15 – Succession of Officers and Positions – Commissioner O’Brien confirmed this agenda item will include a vote on the officer slate.

Item #16 – Jockeys Guild Recognition – Director Lightbown confirmed this agenda item.

Item #17 – VSE Update/GameSense Quarterly Report - Director of Research and Responsible Gaming Mark Vander Linden confirmed this agenda item.

Item #18 – Springfield Community Driven Research Project – Director Vander Linden confirmed this agenda item.

Add-On Item – Approvals for Local Aid Payments – Director Lightbown requested time to discuss two approvals for local aid payments.

### Items For Public Meeting – July 11, 2023 – 10:00 AM

Item #19 – Administrative Update – Executive Director Wells confirmed this agenda item.

Item #20 – Meeting Minutes – Associate General Counsel Young confirmed that meeting minutes from December 22, 2022 and January 3, 2022 will be discussed.

Item #21 – Legislative Update – Commissioner Hill confirmed this agenda item.

Item #22 – Regulations – The Legal Division confirmed this agenda item.

Item #23 – Sports Wagering – The Sports Wagering Division confirmed this agenda item.

Item #24 – EBH Expansion Continued Discussion – Chief Delaney confirmed this agenda item.

Item #25 – Succession of Officers Vote – Commissioner O’Brien confirmed this agenda item is the actual vote for the upcoming year.

Add-On Item – Reimbursement and Consideration – Director Lightbown requested time on behalf of Steve O’Toole to bring forward a promo reimbursement request and consideration, a capital improvement reimbursement and consideration, among other issues.

### Items Under Review for Future Meetings:

Item #26 – ILEV Review Process – Chief Delaney confirmed this agenda item is still under review.

Item #27 – Encore Broadway Expansion – Chief Delaney confirmed this agenda item will be discussed over the course of a few meetings.

Item #28 – Compliance Committee – Commissioner O’Brien requested this agenda item remain under review.

Item #29 – HCA Compliance Update (All Properties) – Commissioner Skinner requested this agenda item remain under review.

Item #30 – Approval of Certificate of Operations – Director Band requested this agenda item remain under review.

Item #31 – 90 Day Audit – Director Band requested this agenda item remain under review.

Item #32 – Delegation of Authority Vote – Commissioner Maynard requested this agenda item remain under review.

Add-On Item – Method of Approval for Local Aid Payments – Director Lightbown requested time in a future meeting to discuss the method of approval for local aid payments.

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

*Roll Call Vote:*

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

*The motion passed unanimously. Meeting adjourned.*

**List of Documents and Other Items Used**

1. Notice of Meeting & Agenda, dated June 7, 2023

**FUTURE SCHEDULED MEETING DATES:**

June 15 (Public)  
June 21 (Agenda)  
June 29 (Public)  
July 11 (Public)  
July 12 (Agenda)



July 12 (Public)  
July 26 (Agenda)  
July 27 (Public)  
August 2 (Agenda)  
August 10 (Public)  
August 16 (Agenda)  
August 24 (Public)  
August 30 (Agenda)