



Massachusetts Gaming Commission
Agenda Setting
Meeting Minutes

Date/Time: October 11, 2023 – 11:30 a.m. EST

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID: 112 215 1802

Call to Order

Chair Judd-Stein called to order Agenda Setting Meeting #154 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) September 27, 2023

Commissioner Maynard moved to approve the minutes from the September 27, 2023 agenda setting meeting included in the Commissioners’ packet subject to any necessary corrections for typographical errors or other non-material matters. Commissioner Hill 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 and additional agenda items for subsequent meetings described in the attached agenda planning notice, as follows:

Items For Public Meeting – October 19, 2023 – 10:00 AM

Item #1 – Administrative Update – Interim Executive Director and General Counsel Todd Grossman confirmed this agenda item. Chair Judd-Stein requested a DEI update from DEI Program Manager Boniswa Sundai.

Item #2 – Meeting Minutes – *This agenda item was not discussed.*

Item #3 – Legislative Update – Commissioner Hill confirmed he would like to keep this as a standing agenda item. Commissioner Hill noted he would like to update the Commissioners on what the MGC working subcommittee would like to see being legislatively done.

Item #4 – Regulations: 205 CMR 219, 205 CMR 231, 205 CMR 258 – Deputy General Counsel Caitlin Monahan confirmed the Legal Division would present several regulations: 205 CMR 219, 205 CMR 231, 205 CMR 258, 205 CMR 238.12 205, and 205 CMR 2.00.

Item #5 – Sports Wagering – Business Manager of the Sports Wagering Division Crystal Beauchemin confirmed the Sports Wagering Division would like to reserve this agenda item in case any issues arise.

Item #6 – FY 24 Budget Update – Chair Judd-Stein confirmed that Chief Financial and Accounting Officer Derek Lennon requested to postpone this agenda item to the November 2, 2023 public meeting.

Item #7 – Draft CMF Guidelines – Chief of the Community Affairs Division Joseph Delaney confirmed this agenda item.

Item #8 – GameSense Quarterly Report Responsible Gaming Education Month – Director of the Research and Responsible Gaming Division Mark Vander Linden confirmed this agenda item.

Add-On Item – Executive Director Search Update – Commissioner O’Brien requested time during this meeting date to provide an update about the Executive Director search.

Add-On Item – Executive Session: Boston Office Lease – Interim Executive Director and General Counsel Grossman and Lead Executive Assistant Maryann Dooley requested time during this meeting date to discuss the lease of the Boston office location in an executive session.

Add-On Item – Interim Executive Director’s Scope of Authority - Interim Executive Director and General Counsel Grossman requested time during this meeting date to discuss a recommendation

and proposal with regards to the scope of the Interim Executive Director's authority to make personnel decisions.

Add-On Item – IEB Director Job Description – Commissioner Skinner requested time during this meeting date to review and discuss the job description for the IEB Director position.

Add-On Item – PENN Partnership with ESPN – Deputy General Counsel Monahan requested time during this meeting date to present a legal overview of potential next steps with regards to that transfer and change.

Items For Public Meeting – November 2, 2023 – 10:00 AM

The Commissioners discussed logistical information regarding the November 2, 2023 meeting and the costs associated with hosting the meeting at the Mass Mutual Center in Springfield, MA. Commissioner Hill inquired about using a city property as a venue for this meeting. Chair Judd-Stein and Chief of the Communications Division Thomas Mills confirmed they will look into this issue.

Item #9 – Administrative Update – Interim Executive Director and General Counsel Grossman confirmed this agenda item.

Item #10 – Meeting Minutes – Commissioner Maynard confirmed this agenda item.

Item #11 – Legislative Update – Commissioner Hill confirmed this agenda item.

Item #12 – Regulations – Associate General Counsel Ying Wang confirmed that the Legal Division will present on amendments to 205 CMR 152 regarding court-ordered exclusion.

Item #13 – Sports Wagering – Business Manager Beauchemin confirmed the Sports Wagering Division may have house rules to discuss on this meeting date.

Item #14 – MGM Quarterly Report (Q2 & Q3) – Chief Delaney confirmed this agenda item.

Item #15 – CMF Modifications Discussion – Chief Delaney confirmed this agenda item was a placeholder and may not be needed.

Item #16 – FY23 Research Agenda Summary – Director Vander Linden confirmed this agenda item.

Add-On Item – FY 24 Budget Update – Chair Judd-Stein confirmed this agenda item previously scheduled for the October 19, 2023 public meeting.

Add-On Item – Race Horse Development Fund Benefits for Jockeys and Drivers – Director of the Racing Division Alexandra Lightbown requested time on the agenda to discuss the Racehorse Development Fund benefits for jockeys and drivers.

Items For Public Meeting – November 16, 2023 – 10:00 AM

Item #17 – Administrative Update – Interim Executive Director and General Counsel Grossman confirmed this agenda item. Chair Judd-Stein requested a potential update from Chief Information Officer Katrina Jagroop-Gomes and Information Technology Services.

Item #18 – Meeting Minutes – Commissioner Maynard confirmed this agenda item.

Item #19 – Legislative Update – Commissioner Hill confirmed he would like to keep this as a standing agenda item.

Item #20 – Regulations – Deputy General Counsel Caitlin Monahan confirmed the Legal Division may not have any regulations to present at this meeting.

Item #21 – Sports Wagering – Business Manager Beauchemin confirmed the Sports Wagering Division would bring forward a data privacy waiver issue.

Add-On Item – PPC and EBH Quarterly Reports – Chief Delaney confirmed that he planned to bring forward the quarterly reports for Plainridge Park Casino and Encore Boston Harbor on this meeting date. Business Manager Beauchemin inquired about the Commissioners’ preference for the frequency of presentations from the operators. The Commissioners discussed the desired cadence.

Add-On Item – Final Community Mitigation Fund Guidelines – Chief Delaney requested time during this meeting date to discuss the final Community Fund Mitigation Fund guidelines for a final vote.

Items Under Review for Future Meetings:

Item #22 – ILEV Review Process – Chief Delaney requested to keep this agenda item under review.

Item #23 – Compliance Committee – Commissioner O’Brien requested to keep this agenda item under review.

Item #24 – HCA Compliance Update (All Properties) – Chief Delaney requested to keep this agenda item under review.

Item #25 – 90-Day Audit – Interim Executive Director and General Counsel Grossman requested to keep this agenda item under review on behalf of the Director of the Sports Wagering Division Bruce Band.

Item #26 – Economic Impact Reports – Research Manager of the Research and Responsible Gaming Division Bonnie Andrews requested to keep this agenda item under review.

Item #27 – Bet Restriction by Operator – Chair Judd-Stein confirmed that Director Band and Interim Sports Wagering Operations Manager and Casino Regulatory Manager Andrew Steffen are currently working on this matter and that this agenda item will remain under review.

Item #28 – Diversity Audit – Commissioner Skinner requested to keep this agenda item under review.

Item #29 – Licensing Management System RFI Update – Finance and Budget Office Manager John Scully requested to keep this agenda item under review.

Item #30 – Race Horse Development Fund Benefits for Drivers and Jockeys (Continued Discussion) – Chair Judd-Stein confirmed this agenda item has been moved to the November 2, 2023 public meeting date.

Item #31 – Mission Statement Working Group Report – Commissioner O’Brien requested to keep this agenda item under review.

Item #32 – Recommendation Letter to Legislature – Commissioner Hill requested to keep this agenda item under review.

Item #33 – MGC Internship Program – Commissioner Maynard requested to keep this agenda item under review.

Item #34 – RFI for Player Risk Identification and Response – Director Vander Linden requested to keep this agenda item under review.

Item #35 – Further Updates/Next Steps re Penn and ESPN Deal – Chair Judd-Stein confirmed this agenda item has been moved to the October 19, 2023 public meeting date.

Add-On Item – EBH Work Plan Amendment – Interim Director of the IEB and Chief Enforcement Counsel Heather Hall requested time during a future meeting to discuss the EBH work plan amendment.

Add-On Item – IEB Presentation on EBH Realty Income REIT Transaction – Interim Director of the IEB and Chief Enforcement Counsel Hall requested time during a future meeting to discuss the IEB presentation on the full investigation of the EBH Realty Income REIT transaction.

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

Roll Call Vote:

Commissioner O’Brien Aye.

Commissioner Hill: Aye.

Commissioner Skinner *Aye.*
Commissioner Maynard *Aye.*
Chair Judd-Stein *Aye.*

The motion passed unanimously. Meeting adjourned.

List of Documents and Other Items Used

1. Notice of Meeting & Agenda, dated October 11, 2023
2. Agenda Setting Meeting Minutes, dated September 27, 2023

FUTURE SCHEDULED MEETING DATES:

October 19 (Public)
October 24 (Public)
October 25 (Agenda)
November 2 (Public)
November 8 (Agenda)
November 13 (Agenda)
November 16 (Public)
November 30 (Public)
December 6 (Agenda)
December 14 (Public)
December 20 (Agenda)
January 4 (Public)