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## Massachusetts Gaming Commission Agenda Setting Meeting Minutes

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**Date/Time:** October 25, 2023 – 10:00 a.m. EST

**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
MEETING ID: 112 551 2022

### Call to Order

Chair Judd-Stein called to order Agenda Setting Meeting #155 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) October 11, 2023

*The meeting minutes were not discussed during this meeting and have been rolled over to the next agenda setting meeting on November 8, 2023.*

### 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 – November 2, 2023 – 10:00 AM

*The Commissioners discussed logistical information regarding the November 2, 2023 meeting.*

Item #1 – Administrative Update – Interim Executive Director and General Counsel Todd Grossman confirmed that Director of the Racing Division, Dr. Alexandra Lightbown would present on the ongoing Massachusetts Sire Stakes at Plainridge Park.

Item #2 – Meeting Minutes – Commissioner Maynard confirmed that there would be two sets of meeting minutes for the commissioners’ review on this date.

Item #3 – Legislative Update – Commissioner Hill confirmed he would like to keep this as a standing agenda item.

Item #4 – Regulations: 205 CMR 2.00 (Court Ordered Exclusion) – Interim Executive Director and General Counsel Grossman confirmed that the correct citation for court ordered exclusion is 205 CMR 152 and that 205 CMR 2.0 concerning the racing application and process would be on for the November 16, 2023 public meeting.

Item #5 – Sports Wagering – Interim Sports Wagering Operations Manager and Casino Regulatory Manager Andrew Steffen confirmed the Sports Wagering Division would have two house rule updates from Fanatics and PSI. Director of Communications Thomas Mills confirmed there would be a remote link for sports wagering operators to join.

Item #6 – MGM Quarterly Report (Q2 & Q3) – Chief of the Community Affairs Division Joseph Delaney confirmed this agenda item and requested for this item to be moved towards the end of the meeting.

Item #7 – CMF Modifications Discussion – Chair Judd-Stein requested a summary presentation on what the Community Mitigation Fund has done for the Region B Springfield area. Chief Delaney confirmed that he would present a chart showing the number of grants and total dollar value.

Item #8 – Race Horse Development Fund Benefits for Jockeys and Drivers – Director of the Racing Division Lightbown confirmed this agenda item.

Item #9 – FY23 Research Agenda Summary – Director of the Research and Responsible Gaming Division Mark Vander Linden confirmed this agenda item.

Item #10 – FY 24 Budget Update – Chief Financial and Accounting Officer Derek Lennon confirmed this agenda item.

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

*Chair Judd-Stein confirmed this meeting date should have stated November 16, 2023, not November 19, 2023.*

Item #11 – Administrative Update – Chair Judd-Stein confirmed this agenda item.

Item #12 – Meeting Minutes – Chair Judd-Stein confirmed this agenda item.

Item #13 – Legislative Update – Chair Judd-Stein confirmed this agenda item.

Item #14 – Regulations – Interim Executive Director and General Counsel Grossman confirmed that the Legal Division would present on 205 CMR 2.00 concerning the racing application and process. Chair Judd-Stein confirmed that 205 CMR 257 would also be discussed on this meeting date concerning waivers and data privacy.

Item #15 – Sports Wagering (205 CMR 257 Data Privacy Regulation: Waivers) – Director of the Sports Wagering Division Bruce Band confirmed this agenda item.

Item #16 – FY 24 Budget Update – Chief Lennon confirmed this is a placeholder and does not anticipate having to use this meeting time for this agenda item.

Item #17 – PPC & MGM Springfield Quarterly Reports – Chief Delaney confirmed this agenda item and noted that this would be for PPC and Encore and would not include MGM Springfield.

Item #18 – CMF Modifications Discussion – Chief Delaney confirmed this would be the vote date.

Add-On Item – Protocol Proposal for Sports Wagering Non-Compliance Matters - Interim Executive Director and General Counsel Grossman requested time during this meeting to bring forward a proposed protocol, which addresses the handling of non-compliance matters in sports wagering.

Add-On Item – MGM Public Safety Update – Chair Judd-Stein confirmed that the Commission anticipates an executive session for the public safety update from MGM Springfield.

Add-On Item – Review of DraftKings Non-Compliance Matter – Senior Enforcement Counsel Kathleen Kramer requested time during this public meeting or the November 30, 2023 public meeting for the IEB to brief the Commission on a non-compliance matter related to DraftKings. Chair Judd-Stein confirmed that this would be put on the November 30, 2023 public meeting agenda.

Add-On Item – Update on Independent Monitor – Chair Judd-Stein suggested adding a brief update on the independent monitor for this meeting date. Commissioner O’Brien agreed.

### Items Under Review for Future Meetings:

Item #19 – ILEV Review Process – Chief Delaney requested to keep this agenda item under review.

Item #20 – Compliance Committee – Commissioner O’Brien requested to keep this agenda item under review.

Item #21 – HCA Compliance Update (All Properties) – Chief Delaney and Commissioner Skinner requested to keep this agenda item under review.

Item #22 – 90-Day Audit –Director Band requested to keep this agenda item under review.

Item #23 – Economic Impact Reports – Research Manager of the Research and Responsible Gaming Division Bonnie Andrews requested to put the Encore Boston Harbor operations report on the agenda for the December 14, 2023 public meeting.

Item #24 – Bet Restriction by Operator –Director Band requested to keep this agenda item under review.

Item #25 – Diversity Audit – Commissioner Skinner requested to keep this agenda item under review.

Item #26 – Licensing Management System RFI Update – Commissioner Maynard and Finance and Budget Office Manager John Scully confirmed that the responses must be sent to COMMBUYS by October 30, 2023.

Item #27 – 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 #28 – Mission Statement Working Group Report – Commissioner O’Brien requested to put this on the agenda for the December 14, 2023 public meeting.

Item #29 – Recommendation Letter to Legislature – Commissioner Hill requested to schedule an internal meeting to discuss this topic.

Item #30 – MGC Internship Program – Commissioner Maynard requested to put this on the agenda during a public meeting in mid-December, 2023.

Item #31 – RFI for Player Risk Identification and Response – Director Vander Linden requested to keep this agenda item under review.

Item #32 – EBH Work Plan Amendment – Senior Enforcement Counsel Kramer requested to keep this agenda item under review.

Add-On Item – Voluntary Self-Exclusion Reinstatement Process – Chair Judd-Stein requested Director Vander Linden provide an overview of the VSE reinstatement process during a future public meeting.

Add-On Item – MGC Research Conference Update –Director Vander Linden confirmed he would like to add an update on the MGC Research Conference.

Add-On Item – Springfield Public Safety Report – Director Vander Linden requested to add the Springfield public safety report for a future public meeting.

Add-On Item – Quarterly Reports – Business Manager of the Sports Wagering Division Crystal Beauchemin requested to add the dates for the quarterly reports (five reports on November 27, 2023 and five reports on December 7, 2023).

Add-On Item – Continuation on PENN and ESPN Deal – Senior Enforcement Counsel Kramer confirmed that the IEB Division expected to get responses from PENN with regarding the Commissioners’ questions, which will be discussed on November 6, 2023.

*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 October 24, 2023

**FUTURE SCHEDULED MEETING DATES:**

November 2 (Public)  
November 8 (Agenda)  
November 16 (Public)  
November 20 (Agenda)  
November 30 (Public)  
December 6 (Agenda)  
December 12 (Public)  
December 20 (Agenda)  
January 4 (Public)