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## Massachusetts Gaming Commission

### Agenda Setting Meeting Minutes

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**Date/Time:** November 13, 2024 – 10:00 a.m. EST

**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
MEETING ID: 112 245 2618

The Commission conducted this public meeting remotely utilizing collaboration technology. The use of this technology was intended to ensure adequate, alternative means of public access to the Commission’s deliberations for any interested member of the public.

#### 1. Call to Order

Chair Jordan Maynard called Agenda Setting Meeting #181 of the Massachusetts Gaming Commission (“Commission”) to order at 10:02 A.M.

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

*Chair Jordan Maynard  
Commissioner Eileen O’Brien  
Commissioner Bradford R. Hill  
Commissioner Nakisha Skinner  
Commissioner Paul Brodeur*

#### 2. Approval of Meeting Minutes

a. October 31, 2024

Commissioner Skinner moved to approve the minutes from the October 31, 2024 agenda setting meeting, subject to necessary edits for typographical errors or non-material matters.  
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 Brodeur</i>	<i>Abstain.</i>
<i>Chair Maynard</i>	<i>Aye.</i>

*The motion passed 4-0.*

### **3. 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 21, 2024 – 10:00 AM EST**

Item #1 – Administrative Update – This item was confirmed by Executive Director Serpa.

Item #2 – Meeting Minutes – Commissioner Skinner confirmed that public meeting minutes and executive session meeting minutes would come forward.

Item #3 – Regulations – General Counsel Grossman noted that no regulations were anticipated on this date.

Item #4 – Sports Wagering – Chief Torrisi confirmed that a discussion of Tomorrow’s Golf League and Bet MGM House Rules will come forward. Additionally, she confirmed that the Fanatics House Rules will move to the December 5, 2024, public meeting.

Item #5 – Chief Torrisi confirmed that the Seal of Approval Rollout Update would come forward with the Communications Division.

Item #6 – Sports Wagering Kiosk Study – Director Vander Linden confirmed this item would come forward.

Add-on-Item – Director Vander Linden requested to bring forward an update on the progress of implementation regarding section 97. *There was consensus from Commissioners to bring this item forward on the November 21, 2024 public meeting.*

Item #7 – Follow up on Wager Limitations – Executive Director Serpa confirmed this item would come forward. Commissioner Skinner requested 2 by 2’s be conducted in advance of this discussion.

Add-on Item #8 – Quarterly Reports – Chief Delaney confirmed this item will be moved to December 5, 2024 public meeting.

Item #9 – Legal Division – General Counsel Grossman confirmed an item would be ready to come forward for discussion related to MGM Springfield’s request for reconsideration of the MGC directive related to the garage. He indicated this may be discussed in public and executive sessions.

Item #10 – Legal Division – General Counsel Grossman confirmed an item would be ready to come forward for discussion related to the matter of Penn/HG Vora Board of Directors nomination. He stated the likely format would be to invite HG Vora to present their position, allow the IEB to respond and provide their view, and for the Legal Division to provide its perspective.

Item #11 – Legal Division – General Counsel Grossman confirmed an item would be ready to come forward for discussion related to Bally's' potential transfer of interest. Additionally, he confirmed Bally's was invited to present the transaction and the individuals involved. He further stated that there would be an opportunity for the Commissioners to look at the trust agreement and the trustee to see if the Commission is prepared to approve of that document. General Counsel Grossman noted that this would be intended to be an introduction to the whole transaction with further proceedings to come.

Add on Item – Executive Director – Dean Serpa and CFAO Derek Lennon requested a discussion of the analysis for COLA increases for FY2025. Commissioner O'Brien added that she believes briefings ahead of time would help to make the discussion most efficient. *After additional discussion regarding timing there was consensus from Commissioners to bring this item forward on November 21, 2024.*

## Items For Public Meeting – December 5, 2024 – 10:00 AM EST

*Commissioner O'Brien mentioned a schedule conflict on December 5, 2024, and requested a 9:00 am start. Commissioners reached consensus to advance the meeting time to 9:00 am.*

Item #1 – Administrative Update – Executive Director Serpa tentatively confirmed this item.

Item #2 – Meeting Minutes – Commissioner Skinner confirmed minutes would come forward.

Item #3 – Legislative Update – This item was tentatively confirmed.

Item #4 – Regulations – Associate General Counsel Young confirmed that regulation 205 CMR 15.05 (related to account deposit wagering) would come forward for discussion and feedback from the Commissioners. She stated that this item would subsequently be brought back for presentation later in December 2024, and she confirmed the regulation would be posted for public comment, before the December 2024 meeting.

Item #5 – Sports Wagering – Chief Torrisi confirmed the Fanatics House Rules would come forward.

Add-on Item – Quarterly Reports – Chief Delaney confirmed this item would be moved from the November 21 public meeting.

Item #6 – Racing Division – Approval of Jockey's Guild – Dr. Lightbown confirmed this item would come forward for discussion of a disbursement from the Racehorse Development Fund for

the Jockey's Guild. After discussion, Commissioners confirmed they had the opportunity to review what was posted last year for public comment and are comfortable to move forward with the post for public comment for this year.

Item #7 – Racing Division – Amending PGR Racing License – Dr. Lightbown confirmed this item would come forward with an accompanying vote to amend PPC's 2024 Racing Meeting License regarding their number of race days.

Add on Item – IEB – Chief Enforcement Counsel Kathleen Kramer requested to discuss a non-compliance item on the Sports Wagering side regarding the recommendation of a civil administrative penalty for the Commission's approval.

### Items For Public Meeting – December 16, 2024 – 10:00 AM EST

Item #1 – Administrative Update – This item was tentatively confirmed.

Item #2 – Meeting Minutes – Commissioner Skinner confirmed minutes would come forward.

Item #3 – Legislative Update – This item was tentatively confirmed.

Item #4 – Regulations – Associate General Counsel Young confirmed this item, 205 CMR 15.05, would come forward for a vote of authorization.

Item #5 – Sports Wagering – Chief Torrisi stated that no items are anticipated, however, this item will be held tentatively.

Item #6 – Racing Division – Dr. Lightbown confirmed an agenda item for the discussion of simulcasting locations, premium free periods, and account wagering providers. She noted that these items will need to have approval before January 1, 2025.

### Items Under Review for Future Meetings:

Item #1 – Compliance Committee – Commissioner O'Brien confirmed that this item would remain under review.

Item #2 – HCA Compliance Update (All Properties) – Chief Delaney confirmed that this item would remain under review.

Item #3 – DPH Report – Equity Pillars & Problem Gambling – Director Mark Vander Linden confirmed his ability to participate in the discussion of this item. Commissioner O'Brien stated that this item would tentatively come forward on December 16, 2024. Additionally, there was discussion regarding the importance of being able to have an open flow of information between Commissioners.

Item # 4 – Discussion of Illegal Markets – Commissioner O’Brien and Commissioner Skinner confirmed this item remains under review. It was noted that further discussion with the Attorney General’s Office is desired.

Item #5 – Possible Adoption of Blocking Software – Director Vander Linden requested that this item remain under review.

Item #6 – Bally’s 90 Day Audit – IT Division – Compliance Manager Tavares requested that this item remain under review.

Item #7 – Responsible Gaming Framework Update Discussion – Director Vander Linden requested this item be removed from under review and assigned a tentative meeting date in early January 2025.

Item #8 – Early Economic Impacts of Sports Betting in the Commonwealth – Director Vander Linden requested for this item to be assigned to the January 23, 2025 public meeting.

Item #9 – Sports Wagering – Compliance Update Reports – Director Torrisi requested that this item remain under review.

Item #10 – Staff Evaluations– Executive Director Serpa – Commissioner O’Brien requested that this item remain under review.

Add-on-item GameSense – Director Vander Linden requested that the Quarterly GameSense updates be assigned to the January 23, 2025 public meeting.

Add-on-item Exhibition – Commissioner O’Brien requested for the Sports Wagering Division to provide an update on the definitions in the catalogue related to exhibitions and for there to be further discussion on the policy and/or regulations related to exhibition events.

#### **4. Commissioner Updates**

None.

#### **5. Other Business**

Having no further business, Commissioner Hill moved to adjourn. Commissioner Brodeur seconded the motion.

*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 Brodeur</i>	<i>Aye.</i>
<i>Chair Maynard</i>	<i>Aye.</i>

*The motion passed unanimously 5-0. Meeting adjourned at 10:31 A.M.*

**List of Documents and Other Items Used**

1. [Notice of Meeting and Agenda](#), dated November 13, 2024
2. October 31, 2024, Agenda Setting Minutes

**FUTURE SCHEDULED MEETING DATES:**

November 14 (Community Site Visit – Holyoke Community College)  
November 20 (Adjudicatory Hearing – Draft Kings Non – Compliance)  
November 21 (Public)  
November 26 (Agenda Setting)  
December 5 (Public)  
December 11 (Agenda Setting)  
December 16 (Public) (Monday meeting)  
December 18 and December 19 (Adjudicatory Hearing – Draft Kings Durable Suitability)  
January 9 (Public)  
January 15 (Agenda Setting)  
January 23 (Public)  
January 29 (Agenda Setting)  
January 30 (Adjudicatory Hearing – PSI Durable Suitability)