



Massachusetts Gaming Commission Meeting Minutes

Date/Time: November 17, 2022, 10:00 a.m.
Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 111 318 9844

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 *(joined later in the meeting)*
Commissioner Bradford Hill
Commissioner Nakisha Skinner
Commissioner Jordan Maynard

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

Chair Judd-Stein called the 403rd Public Meeting of the Massachusetts Gaming Commission ("Commission") to order. Roll call attendance was conducted, and Chair Judd-Stein, Commissioner Hill, Commissioner Skinner, and Commissioner Maynard were present for the start of the meeting. Chair Judd-Stein noted that Commissioner O'Brien was not currently present, and would be joining the meeting at 10:30 a.m.

2. [Review of Meeting Minutes](#) (1:31) a. May 12, 2022

Commissioner Hill requested that the minutes be presented later in the meeting to allow Commissioner O'Brien to have the opportunity to review and vote on the minutes.

3. [Legal Division: Regulations](#) (2:25)

Chair Judd-Stein noted that Commissioner O'Brien had expressed an interest in weighing in on sports wagering regulations for the protection of minors and underage youth, and requested the presentations be reordered to allow that.

a. [205 CMR 2.01](#) – Application for License to Conduct a Racing Meeting by a New Operator; and Amended Small Business Impact Statement (2:49)

General Counsel Todd Grossman introduced Associate General Counsel Judith Young. Associate General Counsel Young stated that 205 CMR 2.01 was related to the application for a license to conduct a racing meeting by a new operator. She stated that this regulation first appeared in front of the Commission on September 15, 2022, and that a hearing occurred on November 10, 2022. A vote for finalization was required for the regulation to be finalized and approved by the Commission.

Commissioner Skinner inquired whether all legal conditions precedent had to be satisfied prior to the October first deadline, or if that issue could be addressed by another regulation. Associate General Counsel Young stated that completeness was mentioned in the statute, and that the Commission had the discretion and authority to require that applicants provide more information prior to deeming the application complete.

Commissioner Skinner suggested waiting for Commissioner O'Brien to join the meeting to weigh in on this issue. Chair Judd-Stein stated that the regulation would give the Commission the flexibility to address applications submitted to the Commission in the future and reflect the statutory mandate.

Commissioner Maynard expressed that the interpretation of the deadline could be a significant issue but stated that he believed the regulation addressed that issue. He expressed an interest in a substantive discussion related to the October first deadline and the condition precedent that local approval be obtained. He questioned if the issue could be addressed as an amendment.

Commissioner Skinner asked how the Commission would notify the public of a change in the process relying on the language referenced. Associate General Counsel Young stated that the Commission has a large amount of discretion, and that the upcoming racing season would follow the same process as previous years, with notifications, hearings and public meetings regarding the racing application and any updates made by the Legal Division; allowing for a large amount of notice to the public about any changes. She stated that additional language or questions could be added to the application requesting information about the local approval process. She stated that between the application and regulations, the Commission would receive enough information prior to the submission from the applicants to determine whether or not to accept the application.

Deputy General Counsel Caitlin Monahan explained that racing regulations were required to go to the legislature prior to becoming final. She stated that the regulation could undergo revisions, but that the revisions should wait until after the regulation was finalized. She explained that another way to address the issue would be within a revised racing application.

Chair Judd-Stein asked if Commissioner O'Brien requested this regulation to be tabled in her absence. Commissioner Hill replied that Commissioner O'Brien did not make that request and stated that the regulation should move forward as it had been discussed at length. Commissioner

Skinner stated that she was satisfied that the Commission would have another opportunity to address the issue.

Associate General Counsel Young stated that the regulation would go to the clerk of the senate for approximately sixty days before being finalized and filed with the secretary of the state. She anticipated that the regulation would become final in January or February of 2023.

Commissioner Hill moved that the Commission approve the amended small business impact statement and the draft of 205 CMR 2.01 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. Commissioner Maynard seconded the motion.

Roll call vote:

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 4-0.

Chair Judd-Stein requested that the Commission be apprised of the legislative review.

b. [Sports Wagering Regulations](#) (21:50)

Chair Judd-Stein noted that Commissioner O’Brien was not yet present, and asked which regulation could be reviewed without her present. Attorney Mina Makarious, outside counsel from the law firm Anderson and Krieger, stated that a vote was not expected for the definitions regulation, and the Commission could start with an overview of that regulation.

i. [Draft 205 CMR 202: Sports Wagering Authority and Definitions](#) (23:51)

Deputy General Counsel Monahan stated that the Commission had previously voted to promulgate the definitions section by emergency, and that a final vote would be held on December 1, 2022. She stated that the Legal Division wanted to adjust definitions and add additional definitions prior to the final vote while there was time for public comment. She requested that the Commission vote to post the revised definitions regulation on the Commission website for public comment.

Mr. Makarious then presented the changes to 205 CMR 202. The *draft 205 CMR 202* was included in the Commissioner’s Packet on pages 156 through 163. He stated that the previous version captured language required for the initial regulations, and that the revisions added remaining definitions. He noted that the legal team had worked with Gaming Laboratory International (“GLI”) in developing these definitions.

Deputy General Counsel Monahan stated that a change was made to the definition of ‘sports wagering vendor’ as GLI had explained the testing certification labs were not technically sports wagering vendors and should be certified separately. Chair Judd-Stein noted that sports wagering vendors were under the control of the operators as agents, and while third-party marketing was addressed, she wanted to ensure that vendors complied with the Commission expectations and regulations regarding advertising and social media.

Mr. Makarios stated that third party marketing entities were listed, and that they would need to be licensed and registered as a vendor if they met the criteria for regulation. He stated that the operators assumed contractual control of their messaging. Chair Judd-Stein asked if it falls on the operator whether their vendors comply with the regulations. Mr. Makarios stated that one of the next steps was developing marketing controls, and an adequate level of operator control over advertising.

Commissioner Hill asked if the language could be clarified. Commissioner Maynard expressed an interest in further clarifying language as well. Mr. Makarios stated that ‘third-party marketing entities’ were broad but could be clarified as advertising and marketing entities. He noted that the Communications Decency Act had to be considered in the regulation of third-party marketing and suggested keeping broader language.

Transcriber’s note: Commissioner O’Brien joined the meeting.

Commissioner Hill stated that he would like the term “advertising” to be included within the definitions. Commissioner O’Brien suggested that it be “advertising or marketing.” Commissioner Skinner stated that she was under the impression that the regulation was already posted on the website for public comment at the time it was drafted. Deputy General Counsel Monahan stated that the regulation had been posted, but due to the emergency process, the Legal Division wanted to seek Commission approval prior to releasing the revised version publicly before the final vote.

Commissioner Hill moved that the Commission approve to post for public comment the draft 205 CMR 202 as included in the Commissioner’s Packet and discussed here today. Commissioner Skinner seconded the motion.

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 250](#): Protection of Minors and Underage Youth and Small Business Impact Statement (48:44)

General Counsel Grossman explained that 205 CMR 250 had been presented to the Commission on November 10, 2022, and that the regulation was now being presented with further edits. He introduced attorneys David Mackey and Annie Lee from Anderson and Krieger. Ms. Lee stated that edits had been made to address sports wagering kiosks being placed in horseracing areas. She stated that provisions were added to require the sports wagering operator to submit specific policies, practices, and procedures designed to keep minors and underage youth from accessing sports wagering kiosks to the Commission for approval.

Ms. Lee explained that 205 CMR 250.05, which mirrored sanctions in sections 205 CMR 133 and 205 CMR 233 for violations with voluntary self-excluded patrons, had been removed to give the Investigation and Enforcement Bureau (“IEB”) discretion to enforce in the same manner as underage youths in the gaming context. She stated that removing this provision allowed the IEB to enforce the regulation based on the “totality of circumstances” standard.

Chair Judd-Stein noted that the sports wagering statute requires the Commission to impose sanctions. Mr. Mackey stated that the intent of the change was to allow the IEB’s authority with respect to underage sports wagering mirror its authority with respect to underage gaming in a gaming establishment. He stated that IEB Director Loretta Lillios had stated she was satisfied with the change.

Chair Judd-Stein noted that the sanction would be imposed under General Law Chapter 23N. Director Lillios confirmed, stating that the regulation established the standard for infractions for underage sports wagering. She stated that the previous version used the knowing and reckless standard, where the IEB had used the totality of circumstances standard requiring substantial evidence for underage gaming. She stated that the question of whether the enforcement mechanism under G.L. Chapter 23N could be delegated to the IEB was set to be reviewed with respect to the vendors. She clarified to the Commission that the draft regulation was to address the standard of review and not the larger question of delegation.

Chair Judd-Stein asked if sanctions for allowing minors would be a higher or lower standard than allowing someone on the voluntary self-exclusion list to place wagers. Director Lillios stated that the standard of proof for the IEB was lower for minors, as they do not have to prove the operator knowingly or recklessly allowed a minor into the gaming premises. Chair Judd-Stein stated that the Commission needed to be mindful to recognize the differences between G.L. Chapter 23K and G.L. Chapter 23N.

Commissioner O’Brien noted that language was also added to allow for a software tester under the age of twenty-one on premises, to solely assess software on applications or kiosks. She expressed an interest in ensuring there was no back door for any underage person betting on kiosks when accessing the system appropriately. She stated that the changes had sufficiently addressed her previous concerns.

Commissioner Maynard asked why 205 CMR 250.05 was removed, as he did not want to abrogate authority that the legislature had given to the Commission. Ms. Lee stated that the provision was included because 205 CMR 233 and 205 CMR 250 were drafted at the same time, and the legal team considered what would be appropriate to move from 233 to 250. She stated

that parallel sanctions made sense at the time, but were no longer necessary, as 233 had since been promulgated.

Mr. Mackey added that it was removed to allow the IEB's ability of finding underage violations to mirror its powers in 205 CMR 105. Chair Judd-Stein stated that the IEB would perform investigative work, but the Commission needed to discuss how administrative penalties were assigned and the administrative process, as G.L. Chapter 23N was silent. Mr. Mackey stated that the regulation does not address that issue, but addressed the standard applied for a violation of underage sports wagering.

Commissioner O'Brien moved that the Commission approve the small business impact statement and draft 205 CMR 250 as included in the Commissioner's Packet and discussed here today. Commissioner Hill seconded the motion.

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 moved that the 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 numbers, section numbers, and titles to file additional regulation sections as reserved or make any other administrative changes as necessary to execute the regulation promulgation process. Commissioner Hill seconded the motion.

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.

iii. [Draft 205 CMR 235](#): Sports Wagering Occupational Licenses and Small Business Impact Statement (1:09:53)

Deputy General Counsel Monahan explained that 205 CMR 235 had been brought before the Commission in the previous week and had since been modified in the section of the regulation related to specific job titles with GLI's input.

Mr. Makarios presented the edits to 205 CMR 235. The *draft 205 CMR 235 and small business impact statement* was included in the Commissioner's Packet on pages 35 through 50. Chair

Judd-Stein asked if the position of Cage Manager should be included. Mr. Makarios explained that Cage Manager and Pit Boss were colloquialisms from the gaming industry that the sports wagering industry had not yet adopted, and that the position would be closer to a general manager or sportsbook manager.

Commissioner Hill moved that the Commission approve the small business impact statement and the draft 205 CMR 235 as included in the Commissioner's Packet and discussed today. Commissioner Maynard seconded the motion.

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 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 numbers, section numbers, and titles to file additional regulation sections as reserved or make any other administrative changes as necessary to execute the regulation promulgation process. Commissioner Maynard seconded the motion.

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.

Deputy General Counsel Monahan additionally requested a vote to make the forms referenced in the regulation go into effect as well. Director Lillios stated that the forms were based on the forms from the gaming side, and included the Key Gaming Employee form, the Massachusetts Supplemental form, and the Multi-Jurisdictional Personal History Disclosure forms. Deputy General Counsel Monahan noted that the forms were included in the Commissioner's Packet on pages 51 through 155.

Commissioner O'Brien moved that the Commission approve the forms referenced in 205 CMR 235.02 that are included in the Commissioner's Packet commencing at page 51, specifically, the Key Gaming Employee form, the Massachusetts Supplemental form, and the Multi-Jurisdictional Personal History Disclosure forms that were discussed today and included in the packet. Commissioner Maynard seconded the motion.

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.

iv. [Draft 205 CMR 251](#): Sports Wagering Operation Certificate and Small Business Impact Statement (1:25:19)

General Counsel Grossman explained that 205 CMR 251 was related to the process for a sports wagering operator to obtain an operations certificate. He noted that when a license was awarded, the operator cannot commence operations until they have received an operations certificate. The *draft 205 CMR 251 and small business impact statement* was included in the Commissioner's Packet on pages 165 through 168.

Chair Judd-Stein sought clarification regarding the process. Mr. Makarious stated that prior to the go-live date for each operator, there was a test period, and that once the test period was completed, the certificate of operations would be issued.

Chair Judd-Stein explained that the Commission had the opportunity to designate someone to do testing in the physical locations. She explained that for the casinos, one Commissioner was designated by the Commission for each location, and that under statute, the Chair had the ability to make assignments. She stated a preference of assigning two Commissioners to each site, but questioned whether that would raise issues.

Commissioner O'Brien stated that she had previously been a tester at casinos, and was willing to defer her attendance, so that the other Commissioners would have the opportunity. General Counsel Grossman stated that groups of two Commissioners could be considered as sub-committee subject to the open meeting law. Mr. Makarious noted that site visits were permitted under the open meeting law, but that Commissioners would only be able to take information in, as deliberation on what they were seeing should occur in duly noticed public meetings.

Chair Judd-Stein stated that the assignment decision for which Commissioners would be assigned to which sites would occur in a future public meeting. She asked how online platform testing would occur. Compliance Manager Sterl Carpenter stated that based upon procedures in other states, the online testing could take place in Boston, and the IT would oversee all of the testing through web browser or mobile application.

Vice President of Government Relations & General Counsel from GLI, Kevin Mullaly explained that the platform would be evaluated to GLI 33 with tests including geolocation, network security, integration of local server. GLI's Director of Client Solutions, Joe Bunevith stated that the licensees would submit final software for the Massachusetts market once the technical regulations had been approved, and that the lab would verify it was the software that would be on the market.

Chief Information Officer (“CIO”) Katrina Jagroop-Gomes noted that a great deal of software and firmware was approved in other jurisdictions, and that whatever IT can evaluate in advance would be done. She stated that the IT Division was doing preparation work for when the technical regulations are approved.

Chair Judd-Stein inquired whether the regulation needed to address online testing with more specificity. Mr. Makarious stated that it was kept broad as the licensees had not yet been identified. Chair Judd-Stein noted that category three was not mentioned and asked if the regulation encompassed category three. Mr. Makarious stated that the term sports wagering operator captured all categories of operators licensed under Chapter 23N. Mr. Mullaly stated that if there were specific concerns, the Commission could impose conditions on the sports wagering license or conditions on a certificate of operations.

Chair Judd-Stein asked if the category three sports wagering operators would appear before the Commission in a public meeting and provide evidence of compliance and testing requirements. General Counsel Grossman explained that they would appear before the Commission and present what they submitted, and the test period results, at which point the Commission could vote to award an operations certificate.

Joe Carlton from GLI stated that the testing would start with an architecture review of the system identifying areas with critical regulatory relevance. He explained that GLI would review the source code for all steps of compilation and ensure those files are employed to the testing environment. He noted that the results would be listed on the certification report.

Mr. Carlton explained that the next step would be to break down the elements of player account management platform, the registration process, age verification, responsible gaming features, account controls, inactivity timers, geolocation, data logging. He stated that retail and mobile may require cross-validation for accounts or cross-validations between kiosks and points of sale. He stated that the identified areas with regulatory interest were player protection, state protection, and accurate accounting. He stated that testing normally takes one to three weeks, with a maximum time of six weeks for a client that has never worked with GLI.

Mr. Bunevith stated that every element was documented in the technical regulations based upon GLI 33. He stated that all of the elements listed above are logged and capable of being audited. Commissioner Skinner stated she read the regulations as requiring an IEB presence for testing. Chair Judd-Stein stated that the regulation was not as clear regarding what the Commission was required to do to issue the certificate of operations for online operators. Director Lillios stated that testing certifications and internal controls are going to mirror each other for retail and digital. She stated that for each of the category three operator GLI would come to the Commission for the approval of the operations certificate with the commissioner who was present for the conditional testing.

Commissioner Hill moved that the Commission approve the small business impact statement and draft 205 CMR 251 as included in the Commissioner’s Packet and discussed today. Commissioner Maynard seconded the motion.

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 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 numbers, section numbers, and titles to file additional regulation sections as reserved or make any other administrative changes as necessary to execute the regulation promulgation process. Commissioner Maynard seconded the motion.

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.

v. [Draft 205 CMR 243](#): Sports Wagering Equipment and Small Business Impact Statement (2:42:02)

General Counsel Grossman stated that the next three draft regulations were those governing: technology standards that sports wagering equipment would be required to meet; the process in which equipment becomes certified; and the process under which modifications can be made.

General Counsel Grossman stated that the proposed language adopts GLI 33 by reference as a baseline, and that the standards were amended to capture G.L. Chapter 23N. He noted that the Commission had previously adopted GLI 20 which applies to kiosks, and that the proposed change would update from the 2011 version of GLI -20, to the 2019 version which applies to sports wagering.

General Counsel Grossman introduced Mike Robbins, Technical Compliance Specialist from GLI. Mr. Robbins stated that the GLI 33 standard was developed to manage all forms of event wagering and had been adopted by thirty-three jurisdictions around the world. He illustrated how the edits reflect the requirements of G.L. Chapter 23N. The *draft 205 CMR 243 and small business impact statement* was included in the Commissioner's Packet on pages 169 through 174. Chair Judd-Stein noted that GLI 33 was included in the Commissioner's Packet on pages 175 through 247.

Mr. Robbins stated that GLI 20 allows for kiosks to retain functionality and support for previous uses, while still allowing expanded support for sports wagering use. Chair Judd-Stein asked if kiosks have been used for multiple purposes. Mr. Robbins stated that multi-purpose concepts have been considered and that the standard was written in a way not to hinder innovation and recent technology. He stated that he has encountered kiosks that have functionality for player account transactions, and handling sports wagering ticket issuance.

Mr. Mullaly stated that the sports wagering platforms were deployed globally, but regulated locally, and that the standards allow regulators in different jurisdictions to use the same terminology. Mr. Robbins stated that the Wire Act required servers used to accept sports wagers to be located in the relevant jurisdiction.

Chair Judd-Stein sought clarification regarding the segregation of guest Wi-Fi. CIO Jagroop-Gomes explained that it was normal industry practice to segregate guest access, so that they do not have access to domains and servers. She stated that the process ensures guest network use does not traverse the network with core systems. Mr. Robbins stated that it was to ensure Wi-Fi for guests does not interact with the private network utilized for kiosks and points of sale.

Commissioner O'Brien asked how the Commission could ensure credit cards are not used for payment if the credit card charge can be put on Venmo, PayPal, or other similar payment systems. Mr. Robbins stated that he was not a lawyer or test engineer, and that he would want someone with further understanding to explain this. He noted that Iowa and South Dakota also prohibited credit cards from being used to fund sports wagering accounts.

Commissioner Skinner stated that as the Commissioner assigned to IT and technical compliance regulations, she was comfortable moving forward with a vote. She requested that virtual event wagering should be considered for deletion as it was not relevant for Massachusetts. General Counsel Grossman stated that it was not removed as the definition of sporting event in G.L. Chapter 23N affords the Commission discretion in deciding which events should be allowed. He noted that the inclusion of virtual event wagering did not authorize the activity and only provided the standards if it was authorized.

Mr. Bunevith stated that the Commission has the approval process for types of events and types of wagers that can be offered by the operators. Mr. Mulally stated that another benefit was the defined parameters of how event wagering would be regulated if it was approved. CIO Jagroop-Gomes stated that the language was kept open in case technological needs changed, such as during covid where a virtual event could substitute for a physical event. Chair Judd-Stein stated that it would require a future discussion.

Mr. Mulally stated that each platform would be evaluated to verify the prohibition against credit cards was functioning, and that it would be revalidated during periodic audits. Commissioner O'Brien asked how vendors in other areas with similar laws accepted credit cards despite the checks and balances. She noted that Caesars Sportsbook was fined \$60,000 in Iowa for allowing credit cards to be used on their site. Commissioner Maynard noted that another sportsbook was fined in Iowa for accepting credit cards. Mr. Mulally stated he did not know the full details, but

the payments could have been outside the tested system. Commissioner O'Brien expressed an interest in a further update.

Mr. Robbins stated that account regulations include the allowable types of funding for the player account and that the prohibition of credit cards was reiterated in those provisions. He stated that while operators are prohibited from accepting credit cards it does not stop consumers from using credit to attain allowable funds. Commissioner O'Brien stated that Venmo and prepaid gift cards were too close to credit, and questioned where the Commission should draw the line.

Commissioner Skinner expressed she was comfortable voting on this regulation due to the attention to detail in the regulations and GLI standards. Commissioner O'Brien stated she wanted to hear the Legal Division's opinion. General Counsel Grossman stated that the GLI team has expertise in this area, but that he was comfortable with the draft. He stated that references to internal controls need to be reconciled with upcoming draft regulations.

vi. [Draft Amendment to 205 CMR 143](#): Kiosks and Small Business Impact Statement (4:00:19)

General Counsel Grossman stated that 205 CMR 243.02 references 205 CMR 143.07, specifically the section of the regulation where the kiosk standards from GLI 20 are adopted.

Mr. Robbins explained that the GLI 20 changes between 2011 and 2019 streamlined the layout and format of the standard to focus more on the front-end physical kiosk platform and the back-office platform server. He noted that GLI 20 only applies to proprietary developed hardware, proprietary developed software, and modified off-the-shelf products. He stated that the changes modernized GLI 20 for sports wagering and other activity use.

General Counsel Grossman stated that an amendment had been drafted for 205 CMR 143 where the standard was updated, and that 205 CMR 243.02 incorporated 205 CMR 143.07 by reference.

vii. [Draft 205 CMR 244](#): Approval of Sports Wagering Equipment and Testing Laboratories and Small Business Impact Statement (4:07:23)

General Counsel Grossman explained that 205 CMR 244 covered the administrative aspects of technology and the use of equipment including the certification process. He noted that 205 CMR 244.06 would be reviewed separately as the Commission had already adopted the language to allow independent test laboratories to be certified. The *draft 205 CMR 244* was included in the Commissioner's packet on pages 274 through 277.

Chair Judd-Stein asked if there was any reason not to adopt an annual recertification process for sports wagering equipment. Mr. Robbins explained that Indiana, Wyoming, Arkansas, Connecticut, and Iowa required annual recertification, and Illinois requires recertification twice a year, with Arizona requiring recertification every fifteen months.

General Counsel Grossman stated that the Legal Division reviewed the draft regulations with outside counsel, and that the drafts would be put out for public comment. Commissioner Skinner

stated she would make a motion to approve the regulations but was unsure about moving as an emergency. Chair Judd-Stein asked what the impact would be if they were not adopted by emergency. Deputy General Counsel Carrie Torrisi stated that if they were filed ordinarily, they would not go into effect until February 17, 2023.

Commissioner Hill moved that the Commission approve the small business impact statement and draft 205 CMR 243 as included in the Commissioner's Packet and discussed here today. Commissioner Skinner seconded the motion.

General Counsel Grossman suggested language be included that clarified that the motion includes 243.01 and 243.02. Commissioner Hill accepted the amendment to the motion.

Commissioner Hill moved that the Commission approve the small business impact statement and draft 205 CMR 243.01 and draft 205 CMR 243.02 as included in the Commissioner's Packet and discussed today. Commissioner Maynard seconded the motion.

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 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 numbers, section numbers, and titles to file additional regulation sections as reserved or make any other administrative changes as necessary to execute the regulation promulgation process. Commissioner Maynard seconded the motion.

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 draft 205 CMR 143.07 as included in the Commissioner's Packet and discussed today. Commissioner Skinner seconded the motion.

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 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 numbers, section numbers, and titles to file additional regulation sections as reserved or make any other administrative changes as necessary to execute the regulation promulgation process. Commissioner Maynard seconded the motion.

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 draft 205 CMR 244.01 through 205 CMR 244.05 as included in the Commissioner's Packet and discussed here today. Commissioner Skinner seconded the motion.

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 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 numbers, section numbers, and titles to file additional regulation sections as reserved or make any other administrative changes as necessary to execute the regulation promulgation process. Commissioner Maynard seconded the motion.

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.

4. [Sports Wagering Process Update](#) (4:39:19)

Director Lillios reported that the application deadline for prospective operators was Monday, November 21, 2022. She stated that the IEB had met with the operators by category and answered their questions. She stated that the IEB was continuing to work on the regulations and other preparations.

5. [Commissioner Updates](#) - Meeting Minutes Approval (4:40:29)

Commissioner Hill noted that the minutes had been tabled until the end of the meeting so that Commissioner O'Brien could participate, and a vote was required to approve them.

Commissioner Hill moved that the Commission approve the minutes from the May 12, 2022, public meeting, included in the Commissioner's Packet, subject to any necessary corrections for typographical errors or other non-material matters. Commissioner Skinner seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Abstain.

Chair Judd-Stein: Aye.

The motion passed unanimously, 4-0, with one abstention.

6. [Other Business](#) (4:42:29)

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

Commissioner Maynard moved to adjourn. Commissioner Skinner seconded the motion.

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.

List of Documents and Other Items Used

1. Notice of Meeting and Agenda dated November 10, 2022
2. Public Meeting Minutes, May 12, 2022
2. [Commissioner's Packet](#) from the November 17, 2022, meeting (posted on massgaming.com)