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

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**Date/Time:** November 20, 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 #157 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**

Commissioner Maynard moved to approve the minutes from the November 8, 2023 agenda setting meetings included in the Commissioners’ packet subject to any necessary corrections for typographical errors or other non-material matters. Commissioner Skinner seconded.

(a) November 8, 2023

*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 – November 27, 2023 – 10:00 AM**

Item #1 – Category 3 Sports Wagering Quarterly Reports – *This agenda item was not discussed.*

### **Items For Public Meeting – November 30, 2023 – 10:00 AM**

Item #2 – Administrative Update: Update re: Mashpee Wampanoag Litigation; DOR Sports Betting Regulation – Interim Executive Director and General Counsel Todd Grossman confirmed this agenda item.

Item #3 – Meeting Minutes – Commissioner Maynard confirmed this agenda item.

Item #4 – Regulations – Deputy General Counsel Caitlin Monahan confirmed no regulations are anticipated on this meeting date.

Item #5 – Sports Wagering: House Rules Amendments – Fan Duel – Director of the Sports Wagering Division Bruce Band confirmed this agenda item and that the Sports Wagering Division would have an additional question from DraftKings.

Add-On Item – MGM Security Issue - Interim Director of the IEB and Chief Enforcement Counsel Heather Hall confirmed this agenda item was rolled over and requested that the executive session start at the end of this meeting date.

Item #6 – Amendment of 2023 Plainridge Park Racing Meeting License – Director of the Racing Division Dr. Alexandra Lightbown confirmed this agenda item.

Item #7 – Economic Impact Report: EBH Report – Research Manager of the Research and Responsible Gaming Division Bonnie Andrews confirmed this agenda item.

Item #8 – EBH Floor Plan Expansion – Interim Director of the IEB and Chief Enforcement Counsel Hall confirmed this agenda item and requested to add Division Chief of the Gaming Agents Burke Cain and Casino Regulatory Manager Luis Lozano to the agenda for this item.

Item #9 – Noncompliance Matter RE: DraftKings Universal Wallet – Interim Director of the IEB and Chief Enforcement Counsel Hall requested to move this item to the December 14, 2023 meeting date and add the sports wagering non-compliance process memo in its place. Chair Judd-Stein requested the memo to include some background setting to cover the timeframe between the launch of sports wagering and now.

Add-On Item – Potential Raises and Commission’s Budget – Interim Executive Director and General Counsel Grossman and Chief Financial and Accounting Officer Derek Lennon requested time on the agenda to discuss potential raises and the Commission’s budget.

Add-On Item – Lease of Boston Office – Interim Executive Director and General Counsel Grossman requested time on the agenda to discuss the lease of the Boston office and noted this could be a potential executive session.

Add-On Item – Executive Session Minutes – Interim Executive Director and General Counsel Grossman requested time on the agenda to discuss and vote on prior executive session minutes and noted this could be a potential executive session.

Add-On Item – Transfer of Fund Grants – Senior Programs Manager of the Community Affairs Division Mary Thurlow requested time on the agenda to discuss a request from Springfield to transfer funds from one grant to another.

#### Items For Public Meeting – December 7, 2023 – 10:00 AM

Item #10 – Category 3 Sports Wagering Quarterly Reports – Chair Judd-Stein confirmed this agenda item.

#### Items For Public Meeting – December 14, 2023 – 10:00 AM

*Commissioner O’Brien requested to move the meeting start time from 10:00 AM to 9:30 AM. The other commissioners did not express any objection. Chair Judd-Stein confirmed the new start time.*

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

Item #12 – Meeting Minutes – Associate General Counsel Judith Young confirmed that the Legal Division would have minute sets from the following March 2023 meeting dates: 8, 9, 15, 23, and 27.

Item #13 – Legislative Update: “Housekeeping” Legislative Letter – Commissioner Hill confirmed this agenda item.

Item #14 – Regulations: 205 CMR 238.12, 205 CMR 258 – Deputy General Counsel Monahan confirmed this agenda item and that the Legal Division would also have 205 CMR 15, which will relate to the approval of a simulcast only facility following recent legislation.

Item #15 – Sports Wagering – Chair Judd-Stein confirmed that this agenda item would be concerning the waiver issue with respect to data security. Director Band confirmed that the Sports Wagering Division would also have a DraftKings house rules update and the 90-day audit, which he would present alongside Gaming Technical Compliance Manager Cristian Taveras.

Item #16 – Mission Statement Working Group Report – Commissioner O’Brien and Commissioner Maynard confirmed this agenda item.

Item #17 – MGC Internship Program – Commissioner Maynard confirmed this agenda item.

Item #18 – Approval of Plainridge, Suffolk, Raynham Simulcast Locations, Premium Free Periods, and Account Wagering Providers – Director Lightbown confirmed this agenda item.

Item #19 – Racing Annual Report – Director Lightbown confirmed this agenda item.

Item #20 – Review of Penn’s ESPN Document Production – Interim Director of the IEB and Chief Enforcement Counsel Hall confirmed this agenda item and requested to add Deputy General Counsel Caitlin Monahan and Enforcement Counsel Zachary Mercer to the agenda for this item. Chair Judd-Stein requested that the Legal Division look into any outstanding issues and assess the produced documents.

Add-On Item – DEI Update – Finance & Budget Office Manager John Scully requested time on this meeting date to provide a DEI update along with Senior Program Manager Boniswa Sundai.

#### Items For Public Meeting – January 4, 2024 – 10:00 AM

Item #21 – Administrative Update – Chair Judd-Stein confirmed this agenda item.

Item #22 – Meeting Minutes – Chair Judd-Stein confirmed this agenda item.

Item #23 – Legislative Update – Chair Judd-Stein confirmed this agenda item.

Item #24 – Regulations – Chair Judd-Stein confirmed this agenda item.

Item #25 – Sports Wagering – Chair Judd-Stein confirmed this agenda item.

Item #26 – Report on Reinstatement VSE Process – Director of the Research and Responsible Gaming Division Mark Vander Linden confirmed that he is working on this presentation.

Add-On Items – Screening Committee Updates – Chair Judd-Stein inquired any updates from the screening committees and the Chairs of the two screening committees confirmed they would provide updates on this date.

#### Items Under Review for Future Meetings:

Item #27 – ILEV Review Process – Interim Executive Director and General Counsel Grossman requested to keep this agenda item under review.

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

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

Item #30 – 90-Day Audit – Chair Judd-Stein and Director Band confirmed this agenda item would be moved to the December 14, 2023 meeting.

Item #31 – Casino Job Quality Report – Research Manager Andrews requested to keep this agenda item under review.

Item #32 – Bet Restriction by Operator – Director Band requested to keep this agenda item under review.

Item #33 – SW Quarterly Reports and Treatment of Confidential Information – Business Manager of the Sports Wagering Division Crystal Beauchemin requested to keep these two agenda items under review.

Item #34 – Diversity Audit – Commissioner Skinner requested to keep this agenda item under review.

Item #35 – Executive Director Screening Committee Update – Chair Judd-Stein confirmed this agenda item would be moved to the January 4, 2024 meeting.

Item #36 – 2023 Annual Report – Chair Judd-Stein requested to keep this agenda item under review.

Item #37 – IEB Director Screening Committee Update – Chair Judd-Stein confirmed this agenda item would be moved to the January 4, 2024 meeting.

Item #38 – Springfield Area Public Safety Report – Research Manager Andrews requested to keep this agenda item under review.

Item #39 – Player Risk Identification and Response – Director Vander Linden requested to move this agenda item to January 18, 2024 meeting.

Add-On Item – Escrow for the Racehorse Development Fund – Director Lightbown requested to add an agenda item to discuss the escrow of the Racehorse Development Fund money.

Add-On Item – Mobile Apps Logo or Insignia – Commissioner O’Brien requested to add an agenda item to discuss the commission exploring a logo or insignia for the mobile applications to show legality.

Add-On Item – Third Party Non-Licensed Players – Commissioner O’Brien requested to add an agenda item to discuss third party non-licensed players in the online market not limited to daily fantasy sports.

*Having no further business, Commissioner O’Brien moved to adjourn. Commissioner Skinner 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 November 20, 2023
2. Agenda Setting Meeting Minutes, dated November 8, 2023

**FUTURE SCHEDULED MEETING DATES:**

November 27 (Public)  
November 30 (Public)  
December 6 (Agenda)  
December 7 (Public)  
December 14 (Public)  
December 20 (Agenda)  
January 4 (Public)  
January 10 (Agenda)  
January 18 (Public)  
January 24 (Agenda)  
February 1 (Public)