



Massachusetts Gaming Commission

Agenda Setting Meeting Minutes

Date/Time: December 11, 2024 – 10:00 a.m. EST

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID: 112 114 9506

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 #183 of the Massachusetts Gaming Commission ("Commission") to order at 10:05 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. November 26, 2024

Commissioner Skinner moved to approve the minutes from the November 26, 2024 agenda setting meeting, subject to necessary edits for typographical errors or 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 Brodeur</i>	<i>Aye.</i>
<i>Chair Maynard</i>	<i>Aye.</i>

The motion passed 5-0.

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 – December 16, 2024 – 11:00 AM EST

Item #1 – Administrative Update – Executive Director Serpa confirmed this item would come forward.

Item #2 – Meeting Minutes – Commissioner Skinner confirmed public meeting minutes would come forward as well as a request to go into executive session to approve executive session meeting minutes.

Item #3 – Legislative Update – Commissioner Hill tentatively confirmed this item.

Item #4 – Regulations – General Counsel Grossman confirmed item 205 CMR 15.05 could be removed from the agenda and that it would come forward on a future date.

Item #5 – Sports Wagering – Chief Torrisi confirmed that DraftKings House Rules would come forward.

Add-on-Item – Sports Wagering – Chief Torrisi requested for an item to come forward relating to a waiver from FanDuel from the KBA requirement in 205 CMR 248.04(4).

Item #6 – Racing Division – Approval of Plainridge, Suffolk, Raynham Simulcast Locations, Premium Free Periods, and Account Wagering Providers – Dr. Lightbown confirmed this item would come forward.

Add-on-Item – Racing Division – Dr. Lightbown requested for an item to come forward regarding a promo reimbursement for Plainridge Park Casino for a series of handicapping contests and advertising which was approved by the Commission earlier in the year, and for which PPC is seeking reimbursement.

Item #7 – Community Mitigation Fund Grant – Chief Delaney confirmed an item pertaining to a reassignment of a DCR grant to MassDOT would come forward.

Item #8 – Update/Discussion on next steps with DPH – Executive Director Serpa confirmed this item is ready to come forward. Director Vander Linden requested this item move earlier in the meeting to accommodate a scheduling concern, and Commissioner O’Brien suggested this agenda item could be moved to a future meeting date. *A specific date was not assigned.*

Item #9 – Research and Responsible Gaming – Update on AI Workgroup – Director Vander Linden requested to move this agenda item to the January 9, 2024 meeting.

Item #10 – Legal Division – HG Vora – General Counsel Grossman confirmed this item would come forward for a discussion of the status of the HG Vora matter regarding its request for relief to nominate board members of Penn Entertainment, Inc. Counsel Grossman confirmed that representatives from HG Vora would be available earlier in morning to participate in this discussion.

Items For Public Meeting – January 9, 2024– 9:30 AM EST

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 – Commissioner Hill confirmed there would be no update.

Item #4 – Regulations – General Counsel Grossman confirmed 205 CMR 15.05 would be removed as an agenda item. Deputy General Counsel Stempeck noted that 205 CMR 238.12 relating to letter of credit would be ready to come forward on January 9, 2024 or the following public meeting. He further noted this regulation was posted for public comment. Chair Maynard confirmed with Counsel Stempeck that the public comments would be circulated to Commissioners in a packet with the other required materials. *This regulation was assigned to the January 9, 2025 public meeting.*

Item #5 – Sports Wagering – Chief Torrisi confirmed that there would be no updates.

Item #6 – Update of Responsible Gaming Framework – Director Vander Linden confirmed this item would come forward.

Item #7 – Update on Blocking Software – Director Vander Linden confirmed this item would come forward.

Item #8 – IEB – Collective Bargaining – Director Monahan confirmed this item would come forward and noted it would require entering into an executive session to discuss union negotiations.

Item #9 – IEB – Request for Waiver of Regulation re: Audited Financial Statements – Director Monahan confirmed this item would come forward.

Item #10 – IEB – Sports Wagering Non - Compliance Matter – Director Monahan confirmed this item would come forward.

Item #11 – IEB – Bally’s 90 Day Audit – IT Manager Christian Taveras confirmed this item would come forward.

Add-on- item – Research and Responsible Gaming – Update on AI Workgroup – Director Vander Linden confirmed this item would come forward (it was moved from the December 16, 2024 meeting).

Add-on- item – Legal Division – Bally’s Transfer of Interest Request – Counsel Grossman request an item pertaining to Bally’s’ transfer of interest process. He noted that Bally’s initial letter was

sent October 14, 2024 and there is a time sensitive nature to this request as a fee would be assessed in the matter after January 21, 2025. Counsel Grossman explained if the Commission is inclined to hear the request given the time sensitivity it would be ideally at the January 9, 2024 meeting. Chair Maynard inquired if this matter would require a hearing. Counsel Grossman opined that the matter could be heard at a public meeting. Commissioner Hill stated he is fine with hearing the matter and after no objections were made by the other Commissioners, Chair Maynard confirmed the item.

Add-on- item – Potential re-purposing of CMF Funds – Chief Delaney requested to reserve this item, as he noted the Community Affairs division is working with the grantees to explore options for a resolution. This item regards a joint grant between Chelsea and Revere.

Add-on- item – IEB – Sports Wagering Civil Administrative Penalty – Director Monahan requested for this item to come forward.

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

Item #1 – Sports Wagering – Quarterly reports.

Items For Public Meeting – January 23, 2024– 9:30 AM EST

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 – Commissioner Hill tentatively confirmed this item.

Item #4 – Regulations – Associate General Counsel Wang requested an item to come forward for 205 CMR 243.02 regarding a change to the kiosks regulation which supplements the process previously approved by the Commission in 205 CMR 143.07.

Item #5 – Sports Wagering – Chief Torrisi confirmed an item would come forward regarding FanDuel’s request to use alternate methods of KYC in accordance with 205 CMR 248.04.

Item #6 – Early Economic Impact of Sports Betting – Dr. Bonnie Andrews confirmed this item would come forward.

Item #7 – GameSense Quarterly Report – Director Vander Linden confirmed this item would come forward.

Add-on-Item – Racing Division – Dr. Lightbown requested to add an item regarding Plainridge Park Casino’s request for a capital improvement reimbursement for a paddock project done last summer.

Add-on-Item – IEB – Sports Wagering Non-Compliance Matters – Director Monahan requested enough time to discuss between 3-5 non-compliance matters, including the Caesar’s KYC matter.

Items Under Review for Future Meetings:

Item #1 – Compliance Committee – Commissioner O’Brien confirmed that this item would remain under review and stated that she is collaborating with Commissioner Skinner.

Item #2 – HCA Compliance Update (All Properties) – Chief Delaney confirmed that this item would remain under review and that he will continue to work towards the ability to provide an update in the early new year.

Item #3 – Discussion of Illegal Markets – Commissioner Skinner confirmed this item would remain under review.

Item #4 – Sports Wagering – Compliance Update Reports – Chief Torrisi confirmed that this item is ready to come forward and requested to assign a public meeting date of January 23, 2025. *The Commissioners reached consensus to assign the date of January 23, 2025.*

Item #5 – Staff Evaluations– Executive Director Serpa – Chair Maynard confirmed this item would remain under review.

Item #6 – Update/Discussion on exhibitions included in the event catalogue – Chief Torrisi confirmed that this item would remain under review.

Add-on-Item – Federal Legislation – Commissioner O’Brien discussed an item regarding an upcoming hearing and Counsel Stempeck stated the hearing is scheduled for December 17, 2024. Counsel Stempeck suggested that if the hearing is recorded that he could review the recording and report back with an update.

Add-on-Item – UFC Letter – Commissioner Skinner requested an item regarding the Russian and Belarusian prohibition and making some adjustments to the sports wagering catalog language. Chief Torrisi confirmed with Commissioner Skinner that the Commission approved proceeding with Sports Wagering handling the existing situation, however, Commissioner Skinner’s request pertains to the prohibition language to come forward to the Commission for additional discussion.

During review of the upcoming meeting schedule, Commissioner O’Brien noted that the proposed future public meeting date on February 20, 2025 conflicts with her schedule. Chair Maynard noted that the meeting dates can be moved if needed. Commissioner Skinner inquired whether the 9:30 am advance start to public meetings will continue and Commissioner Hill responded that he does not foresee requesting the advance start beyond February 14, 2025.

4. Commissioner Updates

None.

5. Other Business

Having no further business, Commissioner O’Brien 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 10:36 A.M.

List of Documents and Other Items Used

1. [Notice of Meeting and Agenda](#), dated November 26, 2024
2. November 26, 2024, Agenda Setting Minutes

FUTURE SCHEDULED MEETING DATES:

December 16 (Public) (Monday meeting)
December 18 and December 19 (Adjudicatory Hearing – Draft Kings Durable Suitability)
January 9 (Public)
January 15 (Agenda Setting)
January 16 (Public Quarterly – Reports)
January 23 (Public)
January 29 (Agenda Setting)
January 30 (Adjudicatory Hearing – PSI Durable Suitability)