



Massachusetts Gaming Commission Agenda Setting Meeting Minutes

Date/Time: December 14, 2022 – 9:00 a.m. EST

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID: 112 383 4135

Call to Order

Chair Judd-Stein called to order Agenda Setting Meeting #136 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 Prior Agenda Setting Meeting Minutes

- a. November 2, 2022
- b. November 16, 2022
- c. November 30, 2022

Commissioner Hill moved that the Commission approve the agenda setting minutes included in the meeting packed from November 2nd, November 16th, and November 30th, 2022, subject to any necessary corrections for typographical errors, or other non-material matters. Commissioner Skinner seconded the motion.

Roll Call Vote:

<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 for December 15th, December 22nd, January 12th, and additional meetings described in the attached agenda planning notice, as follows:

Items For Public Meeting – December 15, 2022 – 9:30 AM

Item #1 – Administrative Update – Director Lillios confirmed on behalf of Executive Director Wells that an on-site casino update would be given by IEB Assistant Director Band.

Item #2 – Meeting Minutes – Commissioner Hill confirmed that Minutes would be on the agenda for the December 15th meeting from September 13th, September 19th, and September 22nd.

Item #3 – Regulations for Sports Wagering 205 CMR 138, 205 CMR 238, 205 CMR 254 – General Counsel Grossman confirmed that the regulations were ready for presentation at tomorrow's meeting and that materials had been placed into the Commissioner's packet. He added that outside counsel from Anderson & Kreiger would be attending the meeting to answer questions as well.

Items For Public Meeting – December 22nd, 2022 – 9:30 AM

Item #4 – Administrative Update – Director Lillios confirmed on behalf of the Executive Director agenda item will not be presented, given the length of the meeting's agenda.

Item #5 – Meeting Minutes – The Legal Division confirmed that minutes from March 3rd, March 10th were ready to go forward at this meeting.

Item #6 – Sports Wagering Regulations 205 CMR 247 and 205 CMR 248 – General Counsel Grossman confirmed that these regulations were ready for presentation and discussion by Commissioners. Commissioners then discussed their availabilities relative to a vote for these regulations. After some discussion, Commissioners agreed that a vote for these regulations would occur on January 3rd, with the discussion and review of the regulations to occur on the December 22nd meeting.

Item # 7 – M.G.L. 23N Sports Wagering Studies Updates – Director Vander Linden confirmed that he and Dr. Andrews were set for the presentation and had revised their memorandum based on feedback received. He confirmed that the presentation would include discussion of the two studies mandated by G.L. c. 23N before the Commission. The first, discussing the impact of sports wagering on WBE and VBEs; and the second will focus on the use and impacts of non-gaming kiosks.

Item# 8 – Sports Wagering Vendor Regulation- Penalties Analysis – This item will go forward for discussion with an overview presentation provided by the IEB and the Legal Department.

Items For Public Meeting – January 12, 2022 – 9:30 AM

Item #9 – Administrative Update – IEB Director Lillios confirmed on behalf of Executive Director Wells that an Administrative Update would be provided on January 12th.

Item #10 Meeting Minutes – This item will be updated at the next agenda setting meeting in advance of the January 12th meeting.

Item # 11 Sports Wagering Regulations - This item was tentatively confirmed by the Legal Department and will be confirmed at the next agenda setting meeting.

Add on Item – East of Broadway Development – Chief Delaney requested that this item be brought forward at the January 12th meeting given the length of time required to discuss the plans associated with the building’s construction, and the Commission’s review of request to extend the gaming area to the premises as well.

Add on Item – Approval of permitted events offered by SW Operators – Director Lillios requested an agenda item on behalf of Executive Director Wells to discuss the events that would be permitted for Sports Wagering Operators to offer their patrons.

Add on Item – Discussion and Vote for Pre-Registration of Operators – Director Lillios requested an agenda item on behalf of Executive Director Wells to discuss a request by MGM to set up accounts in advance of the launch. She confirmed that this may be a two-part discussion including regulatory analysis of 205 CMR, and review of practices across the industry.

Add on Item – Discussion on Market Affiliates and their Licensing and Registration Status – Director Lillios requested an agenda item on behalf of Executive Director Wells to discuss the IEB’s findings after their discussions with other jurisdictions.

Add-on Item – HR and IT – Request of Additional Hires - Director Lillios requested an agenda item on behalf of Executive Director Wells and the HR Division for discussion of a memorandum requesting additional staff members in the IT department. CIO Jagroop-Gomes will also be in attendance for the presentation.

Add-on Item – Racing – PGR Winter Renovations – Director of Racing, Dr. Lightbown requested an agenda item for Plainridge Park Racing to present a request for a two-phase renovation of their paddocks over the winter and is seeking the Commission’s consideration for a capital improvement request.

Items Under Review for Future Meetings:

Item #12 – Responsible Gaming – Community Based Research – Director Vander Linden confirmed that this item was ready and requested a placeholder for later meeting in January given the length of the January 12th agenda.

Item #13 – Petition to Remove Independent Monitor – Ms. Beauchemin clarified that the Adjudicatory hearing had been tentatively scheduled for January 24th and was awaiting confirmation from parties at Encore Boston Harbor.

Item #14– Request for Escrow RHDF – General Counsel Grossman confirmed the legal team was actively researching this this item, and would provide an update shortly.

Item #15 – ILEV Review Process – *This item will remain under review.*

Item #16 – Compliance Committee – *This item will remain under review.*

Item #17 – Succession of Officers and Positions – *This item will remain under review.*

Item #18 – East of Broadway Development – *This item was tentatively scheduled for January 12th, 2023.*

Item #19 –SW advertising/media presentation – *This item will remain under review.*

Having no further business, Commissioner Hill moved to adjourn. Commissioner Skinner seconded.

Roll Call Vote:

<i>Commissioner Hill:</i>	<i>Aye.</i>
<i>Commissioner O'Brien</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. Massachusetts Gaming Commission, Notice of Meeting & Agenda, dated December 09, 2022

FUTURE SCHEDULED MEETING DATES:

December 14 (SW Application Review)
December 19-20 (SW Application Review)
December 22
January 3- Round Tables – Players Association/Leagues
January 4-6 (SW Application Review)
January 9-11 (SW Application Review)
January 12 January 13 (SW Application Review)
January 17-19 (SW Application Review)
January 18 (Regulations Only- 9-10AM)
January 20 (Agenda Setting 9:30-10:30AM)

January 20 (11AM)
January 25
January 26
January 31
February 1 (Agenda Setting)
February 2
February 9