



Massachusetts Gaming Commission

Meeting Minutes

Date/Time: March 27, 2025, 10:00 a.m.
Place: Massachusetts Gaming Commission

VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 111 999 7630

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 Jordan Maynard
Commissioner Eileen O'Brien
Commissioner Bradford Hill
Commissioner Nakisha Skinner
Commissioner Paul Brodeur

1. [Call to Order](#) (00:04)

Chair Maynard called to order the 549th Public Meeting of the Massachusetts Gaming Commission ("Commission") at 10:01am. Roll call attendance was conducted, and all five Commissioners were present for the meeting.

2. [Meeting Minutes](#) (1:04)

The January 17, 2023, October 10, 2024, November 7, 2024, and February 24, 2025 public meeting minutes were included in the Commissioners' Packet on pages 5 through 40.

Commissioner Skinner moved that the Commission approve the minutes for the January 17, 2023 and October 10, 2024 meetings that are included in the Commissioners' Packet, subject to any necessary corrections for typographical errors or any other non-material matters. Commissioner Hill seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.
Commissioner Brodeur: Abstain.
Chair Maynard: Aye.
The motion passed, 4-0. One abstention.

Commissioner Skinner moved that the Commission approve the minutes for the November 7, 2024 and February 24, 2025 meetings that are included in the Commissioners' Packet, subject to any necessary corrections for typographical errors or any other non-material matters.

Commissioner O'Brien requested one edit to the November 7, 2024 meeting minutes on page 6 in regard to a comment she made. Commissioner Skinner confirmed that the Legal Division would make the edit to the meeting minutes prior to their finalization.

Commissioner O'Brien then seconded the motion.

Commissioner O'Brien: Aye.
Commissioner Hill: Aye.
Commissioner Skinner: Aye.
Commissioner Brodeur: Aye.
Chair Maynard: Aye.
The motion passed unanimously 5-0.

3. [Administrative Update](#) (04:55)

Executive Director Dean Serpa provided an administrative update regarding the fiscal year budget. He stated that his assessment concerned a review of spending across various line items within the current fiscal year's budget. He stated that the annual Commissioner industry travel line item had been identified as needing an adjustment. He observed that the planned schedule of one individual would exceed the 20% allocation for this line item, creating a shortage of approximately \$1,000. Executive Director Serpa stated that a review of additional travel plans before the end of the fiscal year on June 30, 2025 was also conducted. He stated that with the \$1,000 adjustment, the overall travel line item was projected to end the fiscal year with a surplus of about \$10,000.

Executive Director Serpa shared his intention to make the necessary adjustment for the current fiscal year, emphasizing that the line item had a positive balance and only the apportionment needed to be corrected. Executive Director Serpa noted that during the current budget building process for fiscal year 2026, he had directed the team to revise the overall travel line item. He explained that this was because the line item hadn't been updated in several previous fiscal years, and there had been a general increase in average travel costs. He stated that the goal of this future adjustment was to avoid similar apportionment needs in the next fiscal year.

Executive Director Serpa also shared that the Commission was awaiting the Governor's action on the recently approved house bill (H.B. 62) that would extend the law to permit meetings to be

held remotely. He stated that they would continue to keep the Commission updated regarding progress on the legislation.

Chair Maynard thanked Executive Director Serpa for the updates.

4. [Legal Division](#) (8:10)

- a. Litigation Updates - FBT Everett Realty, LLC v. Massachusetts Gaming Commission and Massachusetts Gaming Commission v. Landmark American Insurance Company

General Counsel Todd Grossman stated that the Legal Division had updates on existing litigation to provide to Commissioners and noted that they would be best received in an executive session. Chair Maynard then read the following statement into the record: “The Commission anticipates it will meet in executive session in accordance with G.L. c. 30A, § 21(a)(3) to discuss strategy with respect to FBT Everett Realty, LLC v. Massachusetts Gaming Commission and Massachusetts Gaming Commission v. Landmark American Insurance Company, as discussion at an open meeting may have a detrimental effect on the litigating position of the Commission. The public session of the meeting will reconvene at the conclusion of the executive session.”

Commissioner Brodeur moved that the Commission go into an Executive Session for the reasons articulated by the Chair. The motion was seconded by Commissioner Skinner.

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.

Commissioners entered the executive session at 10:11 AM EST.

Transcriber's Note: The Commissioners entered executive session at 10:11 AM EST and [returned to the Public Session at 10:35AM EST](#). Attendance was taken by roll call. All five Commissioners were present.

5. [Investigations and Enforcement Bureau](#) (34:24)

Caitlin Monahan, Director of the IEB, shared that the Bureau had a number of matters for the Commission's review today, and that the first matter would be presented by Chief Enforcement Counsel and Assistant Director Kathleen Kramer after she provided a brief introduction and explanation on the first topic.

a. Discussion Regarding Handling of Wagers Related to Sports Wagering
Noncompliance Events pursuant to 205 CMR 247.03(11)

Director Monahan stated that the current discussion stemmed from a prior request from Commissioners on January 9, 2025 for the IEB to provide more information on how wagers associated with unauthorized events were handled after a noncompliance matter was identified. According to the IEB's findings, when a sports wagering operator allowed wagering on an unauthorized or prohibited event/category, the operators typically cancelled and refunded losing wagers but allowed settled winning wagers to stand. If the unauthorized wager was part of a parlay, only the unauthorized portion of the parlay was canceled according to the operators' house rules.

CEC and Assistant Director Kramer stated that the IEB and the Sports Wagering Division learned through inquiries with sports wagering operators and their review of noncompliance matters that instances of unauthorized or prohibited wagers were sometimes discovered during audits or retroactive reviews, often months after the wagers were placed and settled. Based on their review and discussions, the IEB, the Sports Wagering Division, and the Legal Division agreed that the operators' interpretation and application of 205 CMR 247.03(11) was reasonable. *A Memorandum regarding the Cancellation of Wagers Associated with Sports Wagering Noncompliance Matters was included in the Commissioners' Packet on pages 41 through 42.*

Commissioner O'Brien noted that she raised this issue in a 2x2 before the meeting and wanted to raise the issue within the public meeting. She noted that allowing settled winning wagers on prohibited events to stand might violate the statutory definitions of acceptable wagers and sports wagering events within Chapter 23N.

Commissioner O'Brien explained that she wanted to be sure that the interpretation provided within the memorandum did not run afoul of the statutory prohibitions on what was permitted within Chapter 23N and asked if staff had any feedback to provide or had been able to review this matter further.

CEC and Assistant Director Kramer introduced CFAO Derek Lennon to provide more clarity on the matter. CFAO Lennon explained that the guidance the Commission provided to operators on noncompliance matters was that if the accounting period was still open, an adjustment should be made to return the bet to the patron, as the bet should never have occurred. However, if the accounting period had closed and winnings could not be taken back, the adjustment must be noted as a footnote in an operator's next report to the Finance Division. He added that this prevented the adjustment from being incorrectly counted as a write-off. Commissioner O'Brien thanked CFAO Lennon for this explanation.

Chair Maynard thanked the Director Monahan, CFAO Lennon, and CEC and Assistant Director Kramer for resolving this issue.

b. [Briefing on noncompliance matter related to Category 3 Sports Wagering Licensee Penn Sports Interactive d/b/a ESPN BET and discussion regarding next steps. Alleged noncompliance relates to offering wagering on a prohibited event in violation of 205](#)

[CMR 247.01\(1\), 205 CMR 247.01\(2\)\(i\), and the Massachusetts Sports Wagering Catalog \(42:04\)](#)

Director Monahan then introduced Diandra Franks, IEB Enforcement Counsel, to present the next five segments of the meeting's agenda regarding five noncompliance matters. *A Memorandum regarding the Five Noncompliance Matters was included in the Commissioners' Packet on pages 43 and 44.* Enforcement Counsel Franks provided an overview of the five noncompliance matters before the Commission. She explained that each of the five sports wagering operators had mistakenly offered wagering on the Adriatic Basketball Association ("ABA Liga"), which was an unapproved catalog event.

Chair Maynard inquired how so many operators had offered the wagering on the same event and whether there was some kind of communication breakdown. Counselor Franks explained that this issue was detected after one sports wagering operator inquired on January 6, 2025 about the permissibility of offering wagers on this league, as they had seen that other operators were offering wagers. The Sports Wagering Division then clarified with the International Basketball Federation ("FIBA") that the ABA Liga was not recognized, sanctioned, or governed by FIBA.

Enforcement Counsel Franks noted that the fact patterns for all five operators were the same but that the number of wagers and total stake was different for each operator. She explained that she would provide an update for each operator and then provide an opportunity for discussion and questions at the end of the presentation.

Starting first with Penn Sports Interactive d/b/a ESPN BET, Counselor Franks reported that ESPN BET accepted wagers on the ABA Liga from September 18, 2023 through January 6, 2025, totaling approximately 4,795 wagers were accepted for a total stake of \$311,908.43.

- c. [Briefing on noncompliance matter related to Category 3 Sports Wagering Licensee American Wagering Inc., d/b/a Caesars Sportsbook and discussion regarding next steps. Alleged noncompliance relates to offering wagering on a prohibited event in violation of 205 CMR 247.01\(1\), 205 CMR 247.01\(2\)\(i\), and the Massachusetts Sports Wagering Catalog \(46:10\)](#)

Counselor Franks reported that American Wagering Inc., d/b/a Caesars Sportsbook ("Caesars") accepted wagers on the ABA Liga from March 11, 2023 through January 22, 2025. During this timeframe, 4,104 wagers were accepted for a total stake of \$373,046.39.

- d. [Briefing on noncompliance matter related to Temporary Category 3 Sports Wagering Licensee BetMGM, LLC and discussion regarding next steps. Alleged noncompliance relates to offering wagering on a prohibited event in violation of 205 CMR 247.01\(1\), 205 CMR 247.01\(2\)\(i\), and the Massachusetts Sports Wagering Catalog \(46:37\)](#)

Counselor Franks reported that BetMGM, LLC, ("BetMGM") accepted wagers on the ABA Liga from March 10, 2023 through January 24, 2025. She noted that 12,477 wagers were accepted for a total stake of \$477,703.16.

- e. [Briefing on noncompliance matter related to Temporary Category 3 Sports Wagering Licensee FBG Enterprises Opco, LLC, d/b/a Fanatics Betting and Gaming and discussion regarding next steps. Alleged noncompliance relates to offering wagering on a prohibited event in violation of 205 CMR 247.01\(1\), 205 CMR 247.01\(2\)\(i\), and the Massachusetts Sports Wagering Catalog \(47:02\)](#)

Counselor Franks reported that FBG Enterprises Opco, LLC, d/b/a Fanatics Betting and Gaming (“Fanatics”) accepted wagers on the ABA Liga from October 12, 2023 through January 22, 2025. During this timeframe, 9,680 wagers were accepted for a total stake of \$641,000. She noted to Commissioners that these figures were a slight change from what was reported within the memorandum.

- f. [Briefing on noncompliance matter related to Temporary Category 3 Sports Wagering Licensee Betfair Interactive LLC, d/b/a FanDuel and discussion regarding next steps. Alleged noncompliance relates to offering wagering on a prohibited event in violation of 205 CMR 247.01\(1\), 205 CMR 247.01\(2\)\(i\), and the Massachusetts Sports Wagering Catalog \(47:35\)](#)

Lastly, Counselor Franks reported that Betfair Interactive LLC, d/b/a FanDuel (“FanDuel”) accepted wagers on the ABA Liga from March 3, 2023 through January 6, 2025. She added that 657,850 wagers were accepted for a total stake of \$4,397,957.96.

Following the presentation of facts, Chair Maynard inquired whether the funds from these wagers had been returned to the patrons or not recollected from patrons. Counselor Franks confirmed the funds had been returned or recollected. Counselor Franks then sought guidance from the Commission on the next steps for these noncompliance matters, reminding them that they could refer the matter back to the IEB, set up an adjudicatory hearing, or issue a civil administrative penalty.

Commissioner Skinner inquired whether the Commission had the ability to ratify whatever penalty the IEB came up with. CEC and Assistant Director Kramer confirmed that the IEB’s recommendation would come back before the Commission, and the Commission could choose whether or not to approve it.

Commissioner Skinner acknowledged that while there were large sums of money and the duration of the noncompliance matters spanned a long period of time, she was comfortable with sending the matters back to the IEB to make a recommendation to the Commission. Commissioner Brodeur agreed with Commissioner Skinner and suggested these matters would be a great opportunity to empower the IEB to negotiate settlements with the sports wagering operators, which would then come back to the Commission for ratification. He believed this would be a “very healthy way to approach some of these cases” where the facts were well-developed.

Commissioner O’Brien noted that returning the matters to the IEB was the most appropriate, considering that the operators seemed to have made the same error and had already returned the unlawful bets. She also noted that the review or the recommendation by the IEB could also

include some kind of audit component to prevent such widespread errors by operators. Chair Maynard agreed and noted that the Commission had many tools before it to avoid these kinds of incidents from recurring.

The Commissioners reached consensus to send the noncompliance matters back to the IEB for a recommendation.

g. [Temporary Category 3 Sports Wagering Operator Requests for a Temporary License](#) (54:35)

Director Monahan then introduced Karalyn O'Brien, Chief of the Licensing Division to discuss the requests for a temporary license received from Bally's Interactive, LLC d/b/a BallyBet, Betfair Interactive, LLC d/b/a FanDuel, BetMGM, LLC d/b/a BetMGM, Crown MA Gaming, LLC d/b/a DraftKings, and FBG Enterprises Opco, LLC d/b/a Fanatics. *A Memorandum regarding the Applications for Temporary Licensure was included on pages 45 and 46 of the Commissioners' Packet.*

Chief O'Brien explained that this was the second step in the renewal process, following the Commission granting leave to allow the operators to request the temporary licenses on February 24, 2025. She confirmed that each licensee had submitted the necessary form and the one million dollar fee. Chief O'Brien concluded her presentation by stating that all requirements had been met under 205 CMR 219 and that the Licensing Division recommended that the Commission grant the renewed temporary licenses.

Commissioner Hill moved that the Commission approve the Temporary Category 3 Sports Wagering Operator Requests for a Temporary License pursuant to 205 CMR 219 and grant renewed temporary licenses for the following operators as included in the Commissioners' Packet:

- i. Bally's Interactive, LLC (BallyBet)
- ii. Betfair Interactive, LLC (FanDuel)
- iii. BetMGM, LLC (BetMGM)
- iv. Crown MA Gaming, LLC (DraftKings)
- v. FBG Enterprises Opco, LLC (Fanatics)

Commissioner Skinner seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Brodeur: Aye.

Chair Maynard: Aye.

The motion passed unanimously, 5-0.

6. [Update on Employment and Vendor Diversity](#) (57:16)

Boniswa Sundai, Senior DEI Program Manager, and John Scully, Budget and Finance Manager, presented an update on the Commission's employment and vendor diversity metrics. *The presentation was included in the Commissioners' Packet on pages 47 through 48.*

Manager Sundai began by outlining the Commission's commitment to diversity since its inception, aligning with the Supplier Diversity Office's ("SDO") policies for procurement. She noted that the last update was in December 2023 and emphasized the ongoing monitoring of data and intentional efforts to promote equity. Manager Scully then presented the FY25 supplier diversity spending categories and performance metrics. He explained that the Commission has annual state benchmarks determined by the SDO. He highlighted that the Commission was projected to meet or exceed five out of six of the benchmarks set by the SDO, with the exception of veteran-owned business spending. He reviewed the spending amounts for various categories, including disability, LGBT, MBE, SBPP, Veteran, and WBE. He also briefly referred to FY24 data for comparison, where the Commission also met five out of six targeted benchmarks.

Manager Sundai then presented a snapshot of the Commission's internal workforce diversity as of February 28, 2025. She reported that the Commission employed 136 full-time staff members, with 25.73% identifying as diverse, which meets the Commission's internal diversity goal of 25%. She also provided a breakdown of staff by gender and ethnicity based on voluntary disclosures.

Commissioner Skinner thanked the team for compiling the data and noted the need for goals in the gender category for women employees, as well as in the veterans' category. Manager Sundai acknowledged the previous discussions and stated they were in the process of revisiting the goals for the women and veterans' categories and would bring that information back to the Commission.

Commissioner Skinner inquired about the origin of the 25% goal in the minority category and also noted a prior conversation about drafting and incorporating a revised self-disclosure form for staff. Regarding the 25% minority goal, Manager Sundai explained that it was an internal goal established based on the demographics of the Commonwealth and the Commission's commitment to reflect that diversity. Regarding the self-disclosure form, Manager Sundai indicated that they were in the final stages of updating the form in collaboration with HR and the Legal Division and aimed to have it implemented soon.

Executive Director Serpa stated that the Commission had been internally discussing sharpening their data collection tools and reporting methods. He stated that he considered this a paramount responsibility and something the Commission would like to show progress on, assuring Commissioner Skinner that it would be made a priority. Chair Maynard thanked Manager Sundai, Manager Scully, Executive Director Serpa, and CFAO Lennon for the update.

7. [Racing Division](#) (1:10:55)

- a. Plainridge Park Racecourse Request for Approval of Racing Officials and Key Operating Personnel

Director of Racing and Chief Veterinarian, Dr. Alexandra Lightbown, stated that Plainridge Park Racecourse Manager Steve O'Toole had submitted a request for approval of key operating personnel and racing officials for the 2025 racing season that was set to begin on April 14, 2025. She explained that all the individuals were previously licensed by the Commission in prior years and noted that their approval was subject to passing a background check by the Massachusetts State Police for the current season. *A memorandum regarding the Racing Personnel and Racing Officials for the 2025 racing season was included in the Commissioners' Packet on pages 49 and 50.*

Commissioner Hill moved that the Commission approve the racing officials and key operating personnel of Plainridge Park Casino as included in the Commissioners' Packet and discussed here today. Commissioner O'Brien seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Brodeur: Aye.

Chair Maynard: Aye.

The motion passed unanimously, 5-0.

8. [Sports Wagering Division](#) (1:14:44)

Carrie Torrisi, Chief of the Sports Wagering Division, introduced Compliance Manager Andrew Steffen to discuss the House Rule changes from six sports wagering operators.

a. Update to House Rules

i. Bally's

A Memorandum detailing Bally's House Rules Updates was included on page 51 of the Commissioners' Packet. Manager Steffen stated that Bally's was requesting to add a new market to their platform to offer wagers on "cross-sport" events. He explained that the addition would allow wagers involving outcomes from multiple events across different sports. He clarified that the Sports Wagering Division had actually requested this language be added prior to Bally's offering these kinds of wagers. The proposed language was consistent with what had been asked of other operators with this market available. An example provided was a wager combining Saquon Barkley's total touchdowns and LeBron James recording a double-double on a specified date. Manager Steffen noted that these types of markets are typically offered around major events like the Super Bowl. He stated that the Sports Wagering Division confirmed that all requirements under 205 CMR 247.02 had been met and recommended approval of these changes.

Commissioner Skinner asked if this type of cross-sport wagering was new or if it had been ongoing. Manager Steffen responded that this market would be new to Bally's platform, but it has been approved in the house rules of other operators since the launch of sports wagering.

Commissioner Skinner moved that the Commission approve the updates to Bally's House Rules as included in the Commissioners' Packet and discussed here today. Commissioner Hill seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Brodeur: Aye.

Chair Maynard: Aye.

The motion passed unanimously, 5-0.

ii. [BetMGM](#) (1:17:05)

Manager Steffen reported that BetMGM had requested changes to their Massachusetts online house rules. He added that the changes involved three sports. *A memorandum detailing BetMGM's House Rules Updates and the updated rules were included on pages 52 through 54 of the Commissioners' Packet.*

Within Baseball, BetMGM was requesting to add language to address a new market offering for MLB Division Finishing Position, allowing customers to wager on the exact finishing order within a division. The rules for settling these wagers were also outlined, including tie-breaking procedures using official results, head-to-head records, and intra-division records. For the sport of Cricket, MGM was revising the markets of Top Bowlers and Most Sixes. He added that language was also being added to address a new market offering for Delivery Markets as well.

Lastly, Manager Steffen reported that BetMGM was revising the Total Games market within Tennis to clarify settlement rules in case of a player's retirement. He added that bets on total games would be voided if the match did not reach its natural conclusion unless the outcome of the specific market had already been unequivocally determined. BetMGM's Compliance Analyst, Zach Krause, was also present to answer any questions from Commissioners. Manager Steffen concluded by stating that the Sports Wagering Division had completed a full review and recommended approval of the changes requested by BetMGM.

Commissioner Hill moved that the Commission approve the updates to BetMGM's House Rules as included in the Commissioners' Packet and discussed here today. Commissioner Skinner seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Brodeur: Aye.

Chair Maynard: Aye.

The motion passed unanimously, 5-0.

iii. [Encore Boston Harbor](#) (1:21:28)

Manager Steffen reported that Encore Boston Harbor (“EBH”) had requested a single change to their house rules within their retail sportsbook. The change was related to their baseball and softball section. EBH proposed adding a line stating that if a game was decided by the mercy rule, all bets are valid and will be decided (?) according to official match results. Prior to this rule, totals and run lines might have been voided if a game didn't reach the full required innings. This update aims to provide more clarity and consumer protection by aligning bet settlement with official league outcomes. Manager Steffen concluded by stating that the Sports Wagering Division had confirmed that all requirements under 205 CMR 247.02 were met and recommended approval of this request. *A Memorandum detailing Encore Boston Harbor’s House Rules Updates and the updated rules were included on pages 55 through 56 of the Commissioners’ Packet.*

Commissioner Skinner moved that the Commission approve the updates to Encore Boston Harbor’s House Rules as included in the Commissioners’ Packet and discussed here today. Commissioner O’Brien seconded the motion.

Roll call vote:

Commissioner O’Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Brodeur: Aye.

Chair Maynard: Aye.

The motion passed unanimously, 5-0.

iv. [Fanatics](#) (1:23:03)

Manager Steffen reported on the requested House Rules changes submitted by Fanatics. He stated that Fanatics requested changes to their Massachusetts online house rules across seven sports: Football, Baseball, Hockey, Soccer, Boxing, Mixed Martial Arts (“MMA”), and Rugby. *A Memorandum detailing Fanatics’ House Rules Updates and the updated rules were included on pages 57 through 62 of the Commissioners’ Packet.* Manager Steffen noted that Dan Mohal, Senior Manager of New Markets at Fanatics, was available for questions, and that the Sports Wagering Division had recommended approval after their extensive review and comparison of these rules with other operators' rules.

Chair Maynard inquired about the two-player market rules in football, asking if the change brought the rules in line with other operators’ rules submissions. Manager Steffen responded that these rules for proposition wagers, like a player to score touchdowns, were very similar to the three or four operators they compared them against.

Commissioner Hill moved that the Commission approve the updates to Fanatics’ House Rules as included in the Commissioners’ Packet and discussed here today. Commissioner Brodeur seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Brodeur: Aye.

Chair Maynard: Aye.

The motion passed unanimously, 5-0.

v. [FanDuel](#) (1:27:25)

Manager Steffen provided a summary on the final House Rules update before the Commission, a request from sports wagering operator, FanDuel. Manager Steffen stated that FanDuel requested changes to their Massachusetts online house rules across four sports, including Baseball, Basketball, Hockey and Tennis. *A Memorandum detailing FanDuel's House Rules Updates and the updated rules were included on pages 63 through 66 of the Commissioners' Packet.*

Manager Steffen reported that additional language was being added to the Basketball section of FanDuel's house rules to address venue changes. Additionally, new player markets were introduced by FanDuel, including a "double up" market (a team scoring twice as many points as their opponent in a specified period) and proposition wagers like a player scoring a certain number of points in each quarter, both teams scoring in the next minute, and the number of three-pointers made in the next three minutes. Manager Steffen concluded by stating that the Sports Wagering Division had confirmed that all requirements under 205 CMR 247.02 were met and recommended approval of this request.

Chair Maynard sought clarification surrounding the process by which venue changes would impact a wager for Basketball. FanDuel's Trading Compliance Manager, Chris Black, was present at the meeting and explained that this change was added as a precaution for basketball, as similar language was already in their football section. He added that it was to account for situations where a game might be moved due to weather, such as the extreme weather that occurred in the football playoffs in the prior year.

Commissioner Brodeur asked about the actuarial basis and fan demand for specific basketball in-game bets like the "number of three-pointers made in the next three minutes." Mr. Black stated that fans responded positively to the incremental times for in-game bets but noted that the time period for these kinds of bets was constantly being reviewed by FanDuel.

Commissioner Hill moved that the Commission approve the updates to FanDuel's House Rules as included in the Commissioners' Packet and discussed here today. Commissioner Brodeur seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Brodeur: Aye.

Chair Maynard: Aye.
The motion passed unanimously, 5-0.

vi. [MGM Springfield](#) (1:20:07)

Transcriber's Note: Manager Steffen presented this item shortly after the BetMGM House Rule's update.

Manager Steffen reported that MGM Springfield had requested changes to their House Rules within their retail sportsbook. He explained that the MGM Springfield house rule revisions were identical to those just approved by the Commission for BetMGM. *A Memorandum detailing MGM Springfield's House Rules Updates and the updated rules were included on pages 67 through 69 of the Commissioners' Packet.*

Commissioner Skinner moved that the Commission approve the updates to MGM Springfield's House Rules as included in the Commissioners' Packet and discussed here today. Commissioner Brodeur seconded the motion.

Roll call vote:
Commissioner O'Brien: Aye.
Commissioner Hill: Aye.
Commissioner Skinner: Aye.
Commissioner Brodeur: Aye.
Chair Maynard: Aye.
The motion passed unanimously, 5-0.

b. [Request for Extension of Temporary Waiver from identity authentication questions requirement in 205 CMR 248.04\(4\) for Bally's and BetMGM](#) (1:34:32)

Carrie Torrissi, Chief of the Sports Wagering Division, requested an extension of a temporary waiver that the Commission granted to Category Three sports wagering operators BetMGM and Bally's. *A Memorandum summarizing The Request was included on page 70 of the Commissioners' Packet.*

Chief Torrissi explained that on February 6, 2025 the Commission issued a temporary waiver from the requirements of 205 CMR 248.04(4) regarding the use of identity authentication questions to BetMGM and Bally's until May 1, 2025. She explained that the Sports Wagering Division was now seeking an extension of this waiver until June 1, 2025 to allow the Division time to finalize, review, and schedule presentations before the Commission for approval.

Commissioner Hill moved that pursuant to 205 CMR 202.03(2), the Commission issue a temporary waiver to Bally's and BetMGM through June 1, 2025 from the requirements in 205 CMR 248.04(4) as discussed here today, as granting the waiver meets the requirements specified in 205 CMR 102.03(4) and is consistent with the purposes of G.L. c. 23N. Commissioner O'Brien seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Brodeur: Aye.

Chair Maynard: Aye.

The motion passed unanimously, 5-0.

9. [Legal](#) (1:37:19)

- a. 205 CMR 256.00 Sports Wagering Advertising - Discussion and Review of Regulation Amendments and Small Business Impact Statement for Authorization to Begin the Promulgation Process by the Commission

Justin Stempeck, Deputy General Counsel, introduced the discussion regarding 205 CMR 256.00 which concerned amendments to the sports wagering advertising regulations. *A Memorandum, draft of the regulation, and Small Business Impact Statement were included in the Commissioner's Packet on pages 71 through 83.*

Deputy General Counsel Stempeck outlined two main changes to 205 CMR 256.00: the first being a minor language change to 205 CMR 256.01(2) to clarify the scope of the regulation; and a more substantive change to 205 CMR 256.04, adding language requiring marketing and advertising disclosures. He explained that all marketing or advertising by or on behalf of a Sports Wagering Operator must include a clear and conspicuous disclosure describing the financial, employment, personal, or other relationship with the Sports Wagering Operator. He explained that the change was intended to alleviate confusion regarding advertisements, particularly those involving influencers.

Attorney Stempeck stated that this was the first step in re-evaluating 205 CMR 256. He also mentioned plans to issue a guidance document in conjunction with the Sports Wagering Division to better inform the industry on the interpretation of the "advise or encourage" language within the regulation, which would be presented at a future meeting.

Commissioner Skinner asked when the "advise or encourage" language in the regulation took effect and if there was a specific impetus for the recent questions. Attorney Stempeck explained that it wasn't necessarily due to a high volume of recent questions but rather a realization during their review that the line between "advise or encourage" was not a bright-line test and subject to different interpretations. He stated that the goal of the guidance document was to provide better standards for the team and clarity to the industry.

Commissioner O'Brien voiced her support of the ongoing review of advertising and marketing regulations, emphasizing their impactful role in responsible gaming.

Commissioner Skinner also inquired about the timeline and the consideration of public comments. Attorney Stempeck assured Commissioner Skinner that they would request public

comments and noted that this was just the start of the discussion, with all feedback being brought back to the Commissioners before finalization.

Commissioner Maynard raised the issue of the federal government's role in advertising regulations, given its national scope, and expressed hope for a more unified approach. Commissioner Brodeur shared his belief that the more that could be done, especially across different state jurisdictions, to establish a de facto national standard, the more the standard would significantly benefit people across the country.

Commissioner O'Brien echoed the sentiments shared by the Commissioners, mentioning their recent discussions at the State House regarding responsible gaming and marketing. She highlighted the desire for federal involvement akin to regulation of the tobacco industry for better guidance and clarity.

Commissioner O'Brien moved that the Commission approve the Small Business Impact Statement and the draft of 205 CMR 256.00 included in the Commissioners' Packet and discussed here today, and further, that staff be authorized to take the steps necessary to file the required documentation with the Secretary of the Commonwealth to begin the regulation promulgation process. Commissioner Brodeur seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Brodeur: Aye.

Chair Maynard: Aye.

The motion passed unanimously, 5-0.

- b. [205 CMR 238.01: Definitions – Discussion and Review of Regulation Amendments and Amended Small Business Impact Statement for final adoption by Commission](#)
(1:48:19)

Attorney Stempeck introduced the discussion regarding the Commission's review and final approval of 205 CMR 238.01: Definitions that had been approved for amendment earlier this year. He stated that this regulation has been amended to add a definition for "Sports Wagering Liability." *A Memorandum, draft of the regulation, and Amended Small Business Impact Statement were included in the Commissioners' Packet on pages 71 through 83.* Attorney Stempeck informed the Commissioners that the promulgation process for this amendment was complete, stating that a public hearing had been held on March 25, 2025, and no public comments were received.

Commissioner Hill moved that the Commission approve the Amended Small Business Impact Statement and the draft of 205 CMR 238.01 included in the Commissioners' Packet and discussed here today, and further, that 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 Skinner seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Brodeur: Aye.

Chair Maynard: Aye.

The motion passed unanimously, 5-0.

- c. [205 CMR 243.02 Kiosks – Discussion and Review of Regulation Amendments and Amended Small Business Impact Statement for final adoption by Commission](#) (1:49:57)

Ying Wang, Associate General Counsel, presented the final version of 205 CMR 243.02: Kiosks to the Commissioners for review and approval to finalize the regulation. *A Memorandum, draft of the regulation, and Amended Small Business Impact Statement were included in the Commissioners' Packet on pages 71 through 83.* Attorney Wang explained that 205 CMR 243.02: Kiosks supplements the previously approved process outlined in 205 CMR 143.07 concerning the use of kiosks for sports wagering. She stated that the promulgation process for this regulation was complete. A public hearing had been held on March 25, 2025, and no public comments pertaining to this regulation were received.

Commissioner Skinner moved that the Commission approve the Amended Small Business Impact Statement and the draft of 205 CMR 243.02 included in the Commissioners' Packet and discussed here today, and further, that 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 Hill seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Brodeur: Aye.

Chair Maynard: Aye.

The motion passed unanimously, 5-0.

- d. [Table Games Rules Update Spanish 21 and Pontoon 21](#) (1:51:39)

Judith Young, Associate General Counsel, presented a rules update for two Blackjack-style table games, Spanish 21 and Pontoon 21, in accordance with 205 CMR 147.02. Starting first with Spanish 21, Attorney Young explained that the Spanish 21 Rules were being updated for clarity purposes and explained the sections of the rules that were being re-labeled and updated. *A*

Memorandum and draft of the updated Spanish 21 Rules were included in the Commissioners' Packet on pages 88 through 101.

Moving next to the rules for Pontoon 21, Attorney Young provided background that Pontoon 21 was a newer, blackjack-style table game that has been in effect at MGM Springfield since December 2022. *A Memorandum and draft of the updated Pontoon 21 Rules were included in the Commissioners' Packet on pages 102 through 118.* She explained that the rules for Pontoon 21 were also being updated for clarity purposes but explained that the Legal Division and IEB were also correcting a pay table in section 6 that had been cut out of the last posted version of the rules.

Attorney Young stated that the most significant change to the Pontoon 21 rules was within Section 13, where the IEB and Casino Regulatory team had recommended that reference to a specific gaming licensee be removed. Attorney Young explained that because 205 CMR 147.03 authorized table games for play at gaming establishments throughout the Commonwealth, it made more sense to remove the reference and add more general language regarding wagering to the section. Attorney Young noted that she was joined by Luis Lozano, Casino Regulatory Manager at Encore Boston Harbor, for any additional questions Commissioners may have regarding the two table games.

Chair Maynard thanked Attorney Young and the IEB for their 2x2s with Commissioners to explain these rule changes.

Commissioner Brodeur moved that the Commission approve the amended Rules of the Game of Spanish 21 and Pontoon 21 as included in the Commissioners' Packet and discussed here today. Commissioner Hill seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Brodeur: Aye.

Chair Maynard: Aye.

The motion passed unanimously, 5-0.

- e. [205 CMR 101: Adjudicatory Proceedings – Discussion and Review of Regulation Amendment and Small Business Impact Statement for authorization to begin the promulgation process by Commission](#) (1:56:38)

Staff Attorney, Autumn Birarelli, presented amendments to 205 CMR 101 for the Commissioners' review and consideration to begin the promulgation process. *A Memorandum, draft of the regulation, and Small Business Impact Statement were included in the Commissioners' Packet on pages 119 through 129.*

Attorney Birarelli outlined several proposed changes to Commissioners including the following: a correction to an internal citation on page four of the regulation; clarifications to 205 CMR 101.03(5), stating that the Clerk set the briefing schedule for appeals before the Commission, aligning with current practices; amendments to 205 CMR 101.03(7) and (8) to provide the Chair with the ability to delegate to the Clerk of the Commission the approval of certain procedural requests related to briefing schedules and page limits, in addition to the existing ability to appoint a single commissioner to review petitions for longer briefs or additional time to file briefs; and lastly, a change of the word “chairman” to “chair” within the regulation.

Following Attorney Birarelli’s presentation, Commissioners engaged in a thorough discussion of the proposed amendments to 205 CMR 101. Chair Maynard asked if the Chair could designate a Clerk who was not a Commissioner to handle these kinds of procedural requests contemplated within 205 CMR 101.03(7) and (8). Todd Grossman, General Counsel, responded yes, as the Clerk would only be handling procedural aspects, and not conducting the adjudicatory proceeding itself.

Commissioner O'Brien stated that she was not in favor of allowing such procedural matters to be designated to the Clerk or a sole Commissioner, as her preference was that these matters remain with the five Commissioners. She acknowledged the Chair's existing authority to designate a single Commissioner but felt even those kinds of requests could be nuanced or complicated and were not overly burdensome for the full Commission to address.

Commissioner Skinner expressed agreement with Commissioner O'Brien's position. She interpreted the proposed amendments as not delegating the authority to deny such procedural requests, which she believed should come before the full Commission. She clarified, however, that she was amenable to granting a single Commissioner or the Clerk the authority to approve these requests but emphasized the importance of consistency and the opportunity for all Commissioners to understand the requests.

Commissioner Brodeur commented that his initial understanding was that these amendments were intended to create efficiency for ministerial decisions but noted that he was willing to hear more and looked forward to further information being provided.

Chair Maynard suggested having individual meetings between Commissioners and staff, to better understand the process and concerns of the Legal Division. He suggested that the Commissioners discuss these matters with the Legal Division and bring the regulation back for further consideration, aiming for both fidelity to the statute and potential efficiencies.

Attorney Birarelli confirmed that she would look to schedule 2x2 meetings and would bring back the revised language at a later date.

10. [Commissioner Updates](#) (2:10:43)

Chair Maynard shared that he enjoyed attending the conference at the State House with Commissioners yesterday.

Commissioner Brodeur shared an update that he had joined the Community Mitigation Fund (“CMF”) Review team. He stated that the Chair offered him the opportunity to participate in the internal working group to review and discuss applications for CMF Grants. Commissioner Brodeur explained that due to his former role as the Mayor of Melrose, a community that applies for CMF funds, he filed a disclosure with his appointing authority out of an abundance of caution. He stated that he was making this statement publicly at the meeting, as required by the Enhanced Code of Ethics.

Chair Maynard thanked Commissioner Brodeur for stepping up in the role and noted that he thought Commissioner Brodeur would be a great addition due to his experience as a former State Representative and Mayor.

11. [Other Business](#) (02:12:35)

Hearing no business, Chair Maynard requested a motion to adjourn.

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

Roll call vote:

Commissioner O’Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Brodeur: Aye.

Chair Maynard: Aye.

The motion passed unanimously, 5-0. Meeting adjourned.

List of Documents and Other Items Used

1. [Notice of Meeting and Agenda](#), dated March 25, 2025
2. [Meeting Materials](#) from the March 27, 2025 Meeting (posted on massgaming.com)