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**Massachusetts Gaming Commission  
Agenda Setting  
Meeting Minutes**

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**Date/Time:** May 15, 2024 – 10:00 a.m. EST

**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
MEETING ID: 111 488 9365

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.

**1. Call to Order**

Interim Chair Jordan Maynard called to order Agenda Setting Meeting #169 of the Massachusetts Gaming Commission (“Commission”) at 10:06 AM.

***Quorum was confirmed for the meeting by roll call. The following Commissioners were present for the meeting:***

*Interim Chair Jordan Maynard  
Commissioner Eileen O’Brien  
Commissioner Bradford R. Hill  
Commissioner Nakisha Skinner*

**2. Approval of Meeting Minutes**

a. May 1, 2024

Interim Chair Maynard moved to approve the meeting minutes from the May 1, 2024, agenda setting meeting, as included in the Commissioners Packet, subject to the necessary edits for typographical error and non-material matters. Commissioner O’Brien 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>Interim Chair Maynard</i>	<i>Aye.</i>

*The motion passed unanimously 4-0.*

### 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 – May 23, 2024 – 10:00 AM EST

Item #1 – Administrative Update – Executive Director Serpa confirmed that an administrative update would come forward on May 23, 2024.

Item #2 – Meeting Minutes – Associate General Counsel Young confirmed three sets of minutes would come forward for approval at the May 23, 2024, public meeting.

Item #3 – Legislative Update – Commissioner Hill confirmed that this item should remain on the agenda.

Item #4 – Regulations – Deputy General Counsel Torrisi confirmed that 205 CMR 238.12 would be back before the Commission for a vote of finalization and adoption. Deputy General Counsel Stempeck requested that 205 CMR 16.00 be moved to the June 6<sup>th</sup> meeting to accommodate for timing.

Item #5– Sports Wagering Operators’ status complying with 205 CMR 257: Data Privacy and a TGL Event Petition Discussion – Director Band confirmed that the Sports Wagering Division would bring forward an overview presentation, and technical discussion on the anticipated waivers pertaining to 205 CMR 257: Data Privacy. Director Band also confirmed an Event Petition Discussion with Gaming Technical Compliance Manager, Christian Tavares.

Item #6 – Community Mitigation Fund – Standing Agenda Item – Chief Delaney confirmed an agenda item for discussion of Community Mitigation Fund applications.

Item #7 –Responsible Gaming – Casino Jobs Report – Director Vander Linden confirmed that this item would be ready for discussion.

Item #8 – Legal & IEB– Decision on IEB role in Sports Wagering Adjudicatory Hearings – IEB Director Caitlin Monahan confirmed this item for discussion on May 23, 2024.

Item #9 – IEB – Review of IEB Civil Administrative Penalty – Fanatics – Director Monahan confirmed this item for discussion on May 23, 2024.

Item #10 – IEB Union Negotiations and Executive Session – Director Monahan requested an agenda item for this matter, and an accompanying executive session.

Item #11 Financial Investigations (Executive Session) – Director Monahan requested an agenda item for this matter, and an accompanying executive session.

Item #12 – Review of Potential Partnership with GamBan – Director Vander Linden requested that this item be moved to the June 20, 2024, public meeting.

Item #13 – Wynn/Caesars Amended Agreement and Executive Session – Deputy General Counsel Torrasi confirmed this item and requested an accompanying executive session for discussion of competitively sensitive matters.

Item #14 – ILEV Process Review – Community Affairs Division – Chief Delaney confirmed this item was ready for discussion at the May 23<sup>rd</sup> meeting. Commissioner Hill noted that the discussion would be brief and that a memorandum would be placed in the meeting packet.

Add-on Item – SER Registration Waivers – Licensing Division – Director Monahan confirmed that the Licensing Division would bring forward this item for discussion on the May 23<sup>rd</sup> meeting.

### Items For Public Meeting – June 6, 2024 – 10:00 AM EST

Item #1 – Administrative Update – Executive Director Serpa confirmed that an administrative update would come forward on June 6, 2023.

Item #2 – Meeting Minutes – Associate General Counsel Young confirmed minutes would come forward for approval at the June 6th, public meeting.

Item #3 – Legislative Update – Commissioner Hill confirmed that this item should remain on the agenda.

Item #4 – Regulations – Deputy General Counsel Torrasi confirmed that 205 CMR 257.00 would be back before the Commission for a vote of finalization and adoption. Deputy General Counsel Stempeck requested that 205 CMR 16.00 be added to this meeting's agenda as well.

Item #5 – Sports Wagering Review of Waivers for 205 CMR 257, and Variance Requests for 205 CMR 257.03(4) – Director Band confirmed that the Sports Wagering Division would have two items for discussion on June 6, 2024 regarding 205 CMR 257.

Item #6 – Community Mitigation Fund – Standing Agenda Item – Chief Delaney confirmed an agenda item for discussion of the final Community Mitigation Fund applications. He estimated an hour for discussion of the applications.

Item #7 – Independent Monitor – Commissioner O'Brien confirmed this item and approximated that 90 minutes would be sufficient for discussion, and review of the materials submitted by the Independent Monitor.

Item #8 – Fiscal 25 Budget Review – Ms. Knecht confirmed this item for discussion at the June 6<sup>th</sup> meeting and noted that 2x2s would be scheduled in advance of the meeting date.

Add-on Item – Discussion of 3 Noncompliance Events – IEB – Director Monahan requested an agenda item for the Commission to review 3 Noncompliance events and to determine the action required of the Bureau.

### Items For Public Meeting – June 20, 2024 – 10:00 AM EST

Item #1 – Administrative Update – Executive Director Serpa confirmed that an administrative update would come forward.

Item #2 – Meeting Minutes – Associate General Counsel Young confirmed minutes would come forward for approval.

Item #3 – Legislative Update – Commissioner Hill confirmed that this item should remain on the agenda.

Item #4 – Regulations – Deputy General Counsel Torrasi noted that the Legal Division was not anticipating presentation of any regulations at the June 20, 2024, meeting.

Item #5– Sports Wagering – Director Band confirmed a discussion regarding an update on Category 3 sports wagering applicant, Bally’s.

Item #6 – Fiscal 25 Budget Approval – Ms. Knecht confirmed this item for discussion at the June 20, 2024, meeting.

Add-on Item – Community Mitigation Fund – request for Amendment – Chief Delaney requested an agenda item for discussion of the request from the City of Hampden to modify their CMF grant at the June 20, 2024, meeting.

### Items Under Review for Future Meetings:

Item #1 – Compliance Committee – Commissioner O’Brien requested to keep this agenda item under review.

Item #2 – HCA Compliance Update (All Properties) – Commissioner Skinner requested that this item remain under review.

Item #3– EBH – East Broadway; Process & Ultimate Action – Chief Delaney requested to keep this agenda item under review.

Item #4 – Multi-Factorial Authentication Regulation (Ohio Example) – Commissioner O’Brien requested that this item remain under review. Deputy General Counsel Torrasi noted that this item would likely be ready for discussion at a public meeting.

Item #5 – Coordination with DPH – Chairman Maynard noted that representatives from DPH would come to the Commission for a meet and greet.

Item #6 – DPH Report – Equity Pillars & Problem Gambling – Commissioner O’Brien requested that this item remain under review.

Item #7 – Responsible Gaming – Gambling Advertising Report – Director Vander Linden requested that this item remain under review.

Item #8 – Procurement Threshold Discussion Review – Commissioner Hill requested that this item remain under review.

Item #9 – Discussion of AI as a Responsible Gaming Tool – Chairman Maynard noted that this item would be marked up for discussion at a future public meeting, and the working group would be staffed shortly thereafter.

Item #10 – MGC Seal of Approval – Deputy General Counsel Stempeck confirmed this item for presentation at a future meeting. Commissioner O’Brien requested that the draft graphics be shared with the Commissioners.

Item #11 – Licensee Diversity Audit – Commissioner Skinner confirmed this item should remain under review.

Item #12 – Legal Division – Adjudicatory Matters Concerning a Commissioner – Deputy General Counsel Stempeck requested an agenda item for discussion of adjudicatory matters under 205 CMR 101 requiring review and decision by a Commissioner. Chairman Maynard confirmed that it would be added to a meeting agenda in the near future.

Add-on Item – Tribal Litigation Update – Legal – Deputy General Counsel Stempeck requested an agenda item to provide an update on the status of litigation to the Commissioners.

Add-on Item – Update on National Self Exclusion – Responsible Gaming – Director Vander Linden requested that this item be added under review and then moved to a future public meeting agenda when it was ready for discussion.

Add-on Item – Responsible Gaming Conference – Commissioner O’Brien and Chairman Maynard agreed that a Commissioner Update on the Responsible Gaming Conference go forward on May 23, 2024.

#### **4. Commissioner Updates**

Commissioners confirmed they had no updates at today’s agenda setting meeting.

#### **5. Other Business**

*Having no further business, Commissioner O'Brien moved to adjourn. Commissioner Skinner 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>Interim Chair Maynard</i>	<i>Aye.</i>

*The motion passed unanimously 4-0. Meeting adjourned.*

**List of Documents and Other Items Used**

1. Notice of Meeting & Agenda, dated May 13, 2024
2. Agenda Setting Minutes, dated May 1, 2024

**FUTURE SCHEDULED MEETING DATES:**

May 21 (Wagering Limitations Roundtable)

May 23 (Public)

May 29 (Agenda Setting)

June 3 (Public)

June 4 (Adjudicatory Hearing)

June 6 (Public)

June 12 (Agenda Setting)

June 20 (Public)

June 26 (Agenda Setting)

June 30 (Adjudicatory Hearing)