



Massachusetts Gaming Commission
Agenda Setting
Meeting Minutes

Date/Time: May 24, 2023 – 10:00 a.m. EST

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID: 111 533 1502

Call to Order

Chair Judd-Stein called to order Agenda Setting Meeting #146 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
(a) May 10, 2023

Commissioner Hill moved to approve the minutes from the May 10, 2023 Agenda Setting meeting, included in the Commissioners’ Packet, subject to any necessary edits for typographical errors or other non-material matters. Commissioner Maynard 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 5-0.

Agenda Planning for Upcoming Commission Meetings

The Commission discussed the anticipated agendas for the upcoming meetings scheduled for May 30, 2023, June 1, 2023 and additional agenda items for subsequent meetings described in the attached agenda planning notice, as follows:

Items For Public Meeting – May 30, 2023 – 10:30 AM

Item #1 – Administrative Update – Executive Director Karen Wells confirmed this agenda item can be moved if more time was needed to review the Community Mitigation Fund applications.

Item #2 – Meeting Minutes – Associate General Counsel Judith Young confirmed this agenda item.

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

Item #4 – Regulations – The Legal Division confirmed no regulations would be presented at this meeting.

Item #5 – Sports Wagering – Director of Sports Wagering Bruce Band confirmed the Sports Wagering Division would have an amendment to present from Fanatics. Additionally, Sports Wagering Operations Manager Sterl Carpenter confirmed they would have three separate House Rule updates for the Commission.

Item #6 – Community Mitigation Fund Application Review – Community Affairs Division Chief Joseph Delaney confirmed this agenda item with 30 applications to review.

Add-on Item – 90-Day Audit – General Counsel Todd Grossman mentioned the Legal Division would be ready to bring a part of this back to the Commission for their consideration and possibly an extension of the regulatory timeframes.

Items For Public Meeting – June 1, 2023 – 10:00 AM

Item #7 – Administrative Update – Executive Director Wells requested more time was needed to put together information requested by the Commission about the COVID vaccine requirement.

Item #8 – Meeting Minutes – Associate General Counsel Young confirmed that meeting minutes from December 15, 2022 would be discussed.

Item #9 – Legislative Update – Commissioner Hill confirmed this agenda item.

Item #10 – Regulations – Deputy General Counsel Caitlin Monahan confirmed this agenda item for the sports wagering regulations (205 CMR 257, 205 CMR 138, 205 CMR 238, 205 CMR 247,

and 205 CMR 248). General Counsel Grossman requested more time to share drafts for the horse racing regulations internally first.

Item #11 – Sports Wagering – Manager Carpenter confirmed the Sports Wagering Division would present a form for wager and event approvals.

Item #12 – Racing Application Review – General Counsel Grossman mentioned this agenda item can be moved to a further date once the racing regulations have been approved first.

Item #13 – Request to Escrow RHDF – Director of Racing Alexandra Lightbown requested this agenda item be moved to June 29, 2023.

Item #14 – EBH Patron and License Plate Report – Director of Research and Responsible Gaming Mark Vander Linden confirmed this agenda item.

Item #15 – FY24 Initial Review – Chief Financial and Accounting Officer Derek Lennon confirmed this agenda item.

Add-On Item – Delegation of Authority – Director Lightbown requested time to update the Commission on a new veterinarian hired by Plainridge Park and Casino who was considered a racing official.

Adjudicatory Hearing – June 7, 2023 – 12:00 PM

The Commission will hold an adjudicatory hearing on June 7, 2023 at 12:00 PM.

Items For Public Meeting – June 15, 2023 – 9:00 AM

Item #16 – Administrative Update – Executive Director Wells confirmed this agenda item would include a COVID update to the Commission.

Item #17 – Meeting Minutes – Associate General Counsel Young confirmed that meeting minutes from December 9, 2022 and December 29, 2022 would be reviewed for approval.

Item #18 – Legislative Update – Commissioner Hill confirmed this agenda item.

Item #19 - Regulations – The Legal Division confirmed this agenda item.

Item #20 – Sports Wagering – The Sports Wagering Division confirmed this agenda item.

Item #21 – CMF Application Final Review – Chief Delaney confirmed this agenda item.

Item #22 – VSE Update/GameSense Quarterly Report – Director Vander Linden confirmed this agenda item could be moved to a further date.

Add-On Item – Office Succession Presumptive Nomination Policy – Commissioner O’Brien requested this be added as an agenda item for the distribution of the draft.

Adjudicatory Hearing – June 23, 2023 – 10:00 AM

The Commission will hold an adjudicatory hearing on June 23, 2023 at 10:00 AM.

Items For Public Meeting – June 29, 2023 – 9:00 AM

Add-On Item – Casino Update – Field Manager Burke Cain requested time to provide an update on the casinos during the Administrative Update.

Item #23 – Administrative Update – Executive Director Wells confirmed this agenda item.

Item #24 – Meeting Minutes – Associate General Counsel Young confirmed that meeting minutes from December 22, 2022 and January 3, 2022 would be discussed.

Item #25 – Legislative Update – Commissioner Hill confirmed this agenda item.

Item #26 – Regulations – The Legal Division confirmed this agenda item.

Item #27 – Sports Wagering – The Sports Wagering Division confirmed this agenda item.

Item #28 – FY24 Budget Final Review – Chief Lennon confirmed this agenda item.

Add-On Item – Office Succession Presumptive Nomination Policy – Commissioner O’Brien requested this be added as an agenda item for the Commission vote on the presumptive nomination and rotation of officers.

Add-On Item – Recognition of Jockey Guild – Director Lightbown requested this be added to the agenda as the Jockey Guild was now ready.

Items Under Review for Future Meetings:

Item #29 – ILEV Review Process – Chief Delaney confirmed this item was still under review.

Item #30 – Encore Broadway Expansion – Chief Delaney confirmed this item would be discussed at a future meeting on June 6, 2023.

Item #31 – Compliance Committee – Commissioner O’Brien requested this item remain under review.

Item #32 - Springfield Community Driven Research Project – Director Vander Linden requested this item remain under review.

Item #33 – HCA Compliance Update (All Properties) – Commissioner Skinner requested to keep this item under review.

Item #34 – Recognition of Jockey Guild – Director Lightbown requested this item be moved to the June 29, 2023 public meeting.

Item #35 – Approval of Certificate of Operations – Director Band requested to keep this item under review.

Item #36 – Event Catalog Additions – Director Band requested to keep this item under review.

Item #37 – Standardize House Rules - Director Band requested to keep this item under review.

Item #38 – Review of Regulation Regarding “Risk Free” Advertising Phrasing – Commissioner O’Brien confirmed this item would be discussed at a future meeting.

Item #39 – 90 Day Audit – Director Band requested to keep this item under review.

Item #40 – Succession of Officers– Commissioner O’Brien confirmed this item would be discussed at a future meeting.

Add-On Item – Mission Statement – Chair Judd-Stein updated the Commission that she was forming a working group to update the Massachusetts Gaming Commission’s mission statement and that this item would be added to a meeting agenda in the future.

Add-On Item – Letter from State Gaming Commissions to Department of Justice – Chair Judd-Stein updated the Commission that she intends to bring forward a letter from various state gaming commissions addressed to the Department of Justice to prioritize combating illegal offshore sports books and online casinos and requested this be added as an agenda item at a future meeting.

Add-On Item – Sports Wagering Incident Reports – Director Band confirmed this item would be discussed at a future meeting.

Add-On Item – Follow-up Public Safety Executive Session – Chair Judd-Stein requested another follow-up meeting to discuss matters related to public safety.

Having no further business, Commissioner Hill moved to adjourn. Commissioner O’Brien 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 May 24, 2023
2. Agenda Setting Meeting Minutes, dated May 10, 2023

FUTURE SCHEDULED MEETING DATES:

May 30 (Public)
June 1 (Public)
June 7 (Agenda)
June 15 (Public)
June 21 (Agenda)
June 29 (Public)
July 11 (Public)
July 12 (Agenda)
July 12 (Public)
July 26 (Agenda)
July 27 (Public)
August 2 (Agenda)
August 10 (Public)
August 16 (Agenda)
August 24 (Public)
August 30 (Agenda)