



Massachusetts Gaming Commission Meeting Minutes

Date/Time: May 30, 2023, 10:30 a.m.
Place: Massachusetts Gaming Commission

VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 112 523 8807

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 Cathy Judd-Stein
Commissioner Eileen O'Brien
Commissioner Bradford Hill
Commissioner Nakisha Skinner
Commissioner Jordan Maynard

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

Chair Judd-Stein called to order the 456th Public Meeting of the Massachusetts Gaming Commission ("Commission"). Roll call attendance was conducted, and all five commissioners were present for the meeting.

2. [Administrative Update](#) (01:17)

Executive Director Karen Wells stated that there was no administrative update for this meeting.

3. [Commissioner Update](#) (01:49)

a. Discussion of Unregulated Gambling Market Letter to Department of Justice

Chair Judd-Stein stated that seven other sports wagering regulators had recently sent a letter to Attorney General Merrick Garland regarding concerns related to the unregulated gambling

market. She stated that a letter of support was written by the Commissioner, and that a copy of the letter was included in the Commissioner's Packet on page 6.

Commissioner Hill stated that he found the letter of support to be appropriate. Commissioner O'Brien agreed. Commissioner Skinner sought clarification as to what the federal government's efforts were related to this issue. Chair Judd-Stein stated that efforts may be underway but that they could not be revealed to protect the integrity of the process. Commissioner Maynard agreed with writing a supporting letter and stated that there should be no bad actors in a regulated market.

Commissioner Skinner and Chair Judd-Stein proposed stylistic edits to the letter. Commissioner Hill stated that he supported the edits. Commissioner O'Brien stated that she liked the letter in general and asked for the vote to be postponed so that she may have additional time to review the language.

Commissioner Maynard asked if the term "sportsbooks" from the edits captured both online and retail sportsbooks. Commissioner Skinner stated that it did, and noted that it was the language the other regulators' letter used. The Commission reached unanimous consensus in support of sending the letter to the Attorney General with the suggested edits.

4. [Community Affairs Division](#) (17:17)

a. Community Mitigation Fund Application Review (Transportation Planning and Transportation Construction)

Chief of the Community Affairs Division Joe Delaney presented applications to the Community Mitigation Fund for transportation planning and transportation construction. A *Memorandum Detailing the Applications and the Review Team's Recommendations* was included in the Commissioner's Packet on pages 7 through 23.

Chief Delaney stated that he would begin with the transportation planning applications. He explained that the City of Boston had withdrawn three of their transportation related applications due to issues with staff changes and concerns about having the workforce to manage the projects effectively.

Chief Delaney stated that the City of Cambridge applied for \$249,900 for the planning of the Grand Junction Path. He stated that it would design a multi-use path which could create additional ways for patrons to get to the casino. He stated that the review team recommended full funding of this project.

Chief Delaney stated that the City of Everett applied for \$480,000 for the Mystic River Harbor Walk Extension, which would extend the existing harbor walk on the Encore Boston Harbor ("EBH") site. He stated that the review team recommended full funding of this project.

Chief Delaney stated that the City of Malden applied for \$481,000 and sought a waiver to the category limit of \$250,000, to advance the design of improvements to the Broadway corridor. He noted that the project would be funded through the states' transportation improvement program. He noted that Malden had already received three grants related to the Broadway Corridor including \$50,000 for hiring a consultant, \$200,000 as a transportation planning grant, and \$50,000 to look at zoning in this area. Chief Delaney noted that there is a small impact from the casino where approximately two percent of casino traffic uses Broadway. He noted that the impact was relatively modest and that the City of Malden already received \$300,000 in grants related to work along the Broadway corridor. Chief Delaney stated that the previous grants, in addition to the category maximum of \$250,000 would reach thirty-nine percent of design cost. He stated that the review team recommended \$250,000 as an appropriate amount of funds, and that the review team did not recommend granting the waiver.

Chief Delaney stated that the City of Malden applied for \$375,700 and sought a waiver to the category limit of \$250,000 for the Greenway design. He stated that the review team agrees that there is some impact from the casino on the roadway network, and that the project was at twenty-five percent design level. He stated that the review team sought additional information on this project, but that the City of Malden was not able to provide it due to staff turnover. He stated that the review team recommended partial funding of \$250,000 to keep the project moving forward and that the City of Malden could return in the following year to request additional funds if needed.

Chief Delaney stated that the City of Melrose applied for \$250,000 for the design of multi-modal improvements to the Lebanon Street corridor. He stated that it seemed unlikely that any casino patrons would use Lebanon Street and that the review team was unsure if the city demonstrated a casino-related impact. He stated that the review team did not recommend funding for this project.

Chief Delaney noted that Agawam had since withdrawn their application for a transportation planning grant to redesign the intersection of Suffield Street and Silver Street. Commissioner Hill stated that all applicants should be able to demonstrate how the casino was related to the impact they identified in their applications. He stated that this should be clear for all Community Mitigation Fund applications. Chair Judd-Stein stated that she shared those concerns. Chief Delaney stated that if an applicant could demonstrate the impact's nexus to the casino and demonstrate how the proposed work would mitigate the impact, they were likely to have their application approved.

Moving on to the next application, Chief Delaney stated that the Town of Hampden had applied for \$203,100 for the design of sidewalks along Main Street from North Road to Summers Road. He noted that Hampden had received a 2016 reserve grant of \$100,000 to help improve the town's sidewalks. He noted that it was reasonable to assume some traffic from the casinos would flow into Hampden, but that the impact would be modest. He explained that Hampden had earmarked funds in the state transportation bond bill for the construction of the sidewalks, but

that the town had indicated that the bond had yet to be funded. He stated that the review team was concerned about dedicating design funds to a project that may not come to fruition. He explained that the review team recommended full funding, on the condition that if the project does not move forward the funds would be rolled back into the Community Mitigation Fund.

Chief Delaney stated that the City of Holyoke had applied for \$82,300 for planning the redesign of Main Street from Jackston Street to Mosher Street. He stated that the review team agreed that there was an impact on Main Street as it lies at the terminus of Interstate 91. He stated that the review team recommended full funding for this project.

Chief Delaney stated that the City of Holyoke had applied for \$250,000 in funds for wayfinding programs. He noted that in the past, wayfinding programs were considered under the Community Planning Category. He stated that the review team had talked to the City of Holyoke, and they agreed that it fits better in community planning. He stated that the City of Holyoke had agreed to lower the request to \$200,000 to be within the maximum value of a community planning project. He stated that the review team supported partial funding in the amount of \$200,000. He concluded by noting that this application would be put in the correct category for the final write-up.

Chief Delaney reported that the City of Springfield had applied for \$250,000 for the design of traffic control improvements at the intersection of Union and Maple Street. He explained that the intersection ranked high in number of crashes, and that traffic data showed that traffic exiting MGM Springfield (“MGM”) onto Union Street uses the street further east. He stated that the review team recommended full funding of \$250,000 for this application.

Chief Delaney reported that the City of West Springfield had applied for \$250,000 for the design of street improvements to the Elm Street corridor. He stated that traffic data did not show much data that Route 5 was used to arrive to and depart from the casino. He stated that there did not seem to be a nexus between the increase of traffic on the roadway and the casino. He concluded by saying that the review team did not recommend funding this project.

Chief Delaney then moved on to present the transportation construction grants to the Commission. He noted that two transportation construction grants had been received from the City of Boston but had since been withdrawn.

Chief Delaney stated that the City of Everett had applied for \$350,000 for the construction of the Wellington Connector which would connect the Northern Strand Bike Path to the Woods Memorial Bridge. He stated that the City had revised their cost estimate and reduced the price from \$350,000 to \$336,700. He stated that projects like this help to reduce traffic and provide safe bike routes to the casino. He stated that the review team recommended awarding the grant for \$336,700.

Chief Delaney stated that the City of Everett had applied for \$375,000 for the Northern Strand Trail Extension. He stated that the Commission had given the city a grant in 2020 for \$375,000, but there were issues with soil condition and repair of the bridge. He stated that the city had adjusted their request to \$335,260 based on final estimates. He noted that with the 2020 contribution the project would be less than one-third of the total cost cap in the guidelines and would not exceed the \$1,500,000 total funding. Chief Delaney recommended this project be funded as an amendment to the City's 2020 construction grant so that the project would fall under a single grant for administrative purposes.

Chief Delaney reported that the City of Malden had requested \$225,900 and sought a waiver for the one-third cost maximum funding in the Community Mitigation Fund guidelines for the purchase and installation of four BlueBikes stations. He stated that Malden had requested the Community Mitigation Fund pay the entire cost of the purchase and installation of these stations. He stated that casino related traffic had an overall effect on the service of Malden's roadways. He stated that Malden currently had three BlueBikes stations with another planned to be built in 2023. He stated that if the existing BlueBikes stations were considered as part of the local match, the one-third funding cap would allow the funding of two additional BlueBikes stations. He concluded his presentation by noting that the review team recommended partial funding for \$113,000; for the purchase and installation of two BlueBikes stations.

Chief Delaney stated that the City of Malden had applied for \$542,400 for the construction of the Malden Riverworks Path. He stated that the city also requested a waiver for the one-third funding cap and requested that the Community Mitigation Fund pay for approximately half of the project. He explained that approximately sixty-one percent of the Greenway was complete; with twelve percent under design and construction. He stated that this project had significant private investments by those with properties adjacent to this path. He stated that if the private and public investments were considered that this project would be significantly below the one-third cost cap. He stated that the review team recommended granting a waiver and funding this application in full.

Chief Delaney then moved onto the City of Springfield's application. He reported that the City had applied for \$966,700 for the reconstruction of Dwight Street, from Worthington Street to State Street. He stated that Dwight Street was recognized as a major route to the casino and that the city was previously given a grant to re-pave a section of this street. He stated that the request was less than one-third of the total project cost and below the \$1,500,000 maximum. He reported that the review team recommended full funding of this project.

Commissioner Hill moved that the Commission approve applications from the following applicants for funding from the Community Mitigation Fund for the purposes described in the submitted applications and materials included in the Commissioner's Packet and for the reasons described therein and discussed today; and further, that the Commission staff be authorized to execute a grant instrument commemorating these awards in accordance with 205 CMR 153.04:

- to the City of Cambridge \$249,900 for the planning and design of an off-road multi-use path Connection between the Grand Junction Path in Cambridge and the Community Path Extension in Somerville;
- to the City of Everett \$248,000 for the funding for the design of an extension for the Mystic River Harbor Walk from Encore Boston Harbor to the Albert Street Bridge at Route 99;
- to the Town of Hampden \$203,100 for the funding and design of a sidewalk on Main Street and further that a condition be put on this award that the Town of Hampden demonstrate to the Commission that funds have been made available to the town from the Transportation Bond Bill;
- to the City of Holyoke \$82,300 for funding initial engineering design work in support of gaining construction funding under the Transportation Improvement Program on Main Street from Jackson Street to Marshall Street;
- to the City of Springfield \$250,000 for the funding of design of traffic control improvements for the Union Street and Maple Street intersection;
- to the City of Everett \$336,700 for the funding for the construction of a new trail connection known as the Wellington Connector which would connect the newly completed Northern Strand Bike Path at Sweetser Circle to the Woods Memorial Bridge over the Mystic River;
- and to the City of Springfield \$966,700 for the funding for the reconstruction of Dwight Street from Washington to State Street.

Commissioner Skinner offered an amendment that the reconstruction of Dwight Street was from Worthington Street, not Washington Street. Commissioner Hill accepted the amendment. Commissioner Skinner seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Skinner moved that the Commission amend the 2020 transportation construction grant awarded to the City of Everett and approve additional funding for costs associated with the Northern Strand Trail Extension in the amount of \$335,260 for the reasons described in the memorandum included in the Commissioner's Packet and discussed today; and further, that the Commission staff be authorized to execute a grant instrument commemorating these awards in accordance with 205 CMR 153.04. Commissioner Hill seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Maynard moved that with respect to the City of Malden’s application for funding from the Community Mitigation Fund for a construction of a portion of the Malden Riverworks Park project and the Malden River Greenway that the Commission waive the thirty-three percent Commission contribution cap on Community Mitigation Fund awards for transportation construction grants as included in the 2023 Community Mitigation Fund guidelines and that the Commission approve the City of Malden’s application in the amount of \$542,400 for the reasons described in the memorandum included in the Commissioner’s Packet and discussed today; and further, that the Commission staff be authorized to execute a grant instrument commemorating these awards in accordance with 205 CMR 153.04. Commissioner Hill seconded the motion.

Roll call vote:

Commissioner O’Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Skinner moved with respect to the City of Malden’s application for funding from the Community Mitigation Fund to advance the design of improvements to the Broadway Corridor that the Commission waive the \$250,000 cap on Community Mitigation Fund awards for transportation planning grants as included in the 2023 Community Mitigation Fund guidelines and that the Commission approve in part the City of Malden’s application in the amount of \$250,000 for the reasons described in the memorandum included in the Commissioner’s Packet and discussed here today; and further, that the Commission staff be authorized to execute a grant instrument commemorating these awards in accordance with 205 CMR 153.04. Commissioner Hill seconded the motion.

Roll call vote:

Commissioner O’Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Skinner moved with respect to the City of Malden’s application for funding from the Community Mitigation Fund for the final design Spot Pond Brook Greenway that the Commission waive the \$250,000 cap on Community Mitigation Fund awards for transportation planning grants as included in the 2023 Community Mitigation Fund guidelines and that the

Commission approve in part the City of Malden’s application in the amount of \$250,000 for the reasons described in the memorandum included in the Commissioner’s Packet and discussed today; and further, that the Commission staff be authorized to execute a grant instrument commemorating these awards in accordance with 205 CMR 153.04. Commissioner Hill seconded the motion.

Roll call vote:

Commissioner O’Brien: Aye.
Commissioner Hill: Aye.
Commissioner Skinner: Aye.
Commissioner Maynard: Aye.
Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Maynard moved that the Commission approve in part the City of Holyoke’s application for funding from the Community Mitigation Fund for the development of a wayfinding program in multiple languages in the amount of \$200,000 for the reasons described in the memorandum included in the Commissioner’s Packet and discussed today; and further, that the Commission staff be authorized to execute a grant instrument commemorating these awards in accordance with 205 CMR 153.04. Commissioner Skinner seconded the motion.

Roll call vote:

Commissioner O’Brien: Aye.
Commissioner Hill: Aye.
Commissioner Skinner: Aye.
Commissioner Maynard: Aye.
Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Hill moved that the Commission approve in part the City of Malden’s application for funding from the Community Mitigation Fund for additional blue bike stations and bikes in the amount of \$113,000 for the reasons described in the memorandum included in the Commissioner’s Packet and discussed here today; and further, that the Commission staff be authorized to execute a grant instrument commemorating these awards in accordance with 205 CMR 153.04. Commissioner Skinner seconded the motion.

Roll call vote:

Commissioner O’Brien: Aye.
Commissioner Hill: Aye.
Commissioner Skinner: Aye.
Commissioner Maynard: Aye.
Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Commissioner Maynard moved that the Commission deny the application for funding from the Community Mitigation Fund for funding for the design of multi-modal transit improvements to the Lebanon Street Corridor submitted by the City of Melrose for the reasons described in the memorandum in the Commissioner’s Packet and discussed today. Commissioner Hill seconded the motion.

Chair Judd-Stein inquired whether Melrose could apply for other funds in this round of grants. Chief Delaney reported that Melrose had applied for a public safety grant.

Roll call vote:

Commissioner O’Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0

Chair Judd-Stein inquired whether there were any other projects for West Springfield. Chief Delaney stated that West Springfield had projects underway and an application in the public safety category.

Commissioner Hill moved that the Commission deny the application for funding from the Community Mitigation Fund for funding for Complete Streets Engineering redesign of the Elm Street Corridor submitted by the City of West Springfield for the reasons described in the memorandum in the Commissioner’s Packet and discussed today. Commissioner Skinner seconded the motion.

Roll call vote:

Commissioner O’Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0

Chair Judd-Stein asked Commissioner O’Brien if she had the opportunity to further review the letter to Attorney General Merrick Garland. Commissioner O’Brien suggested a few grammatical edits to ensure the pronouns were consistent throughout the document.

Commissioner Maynard moved that the Commission approve for signature and distribution the letter to Attorney General Merrick Garland as included in the Commissioner’s Packet and discussed and edited here today. Commissioner Skinner seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.
Commissioner Hill: Aye.
Commissioner Skinner: Aye.
Commissioner Maynard: Aye.
Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

5. [Legal](#) (1:40:42)

a. 205 CMR 243.01(1)(x): Consideration of Waiver of Regulatory Timeframe

Chair Judd-Stein noted that the discussion of this agenda item would be moved to the meeting on Thursday June 1, 2023.

6. [Sports Wagering Division](#) (1:41:40)

a. FBG Enterprises Opco, LLC

I. Request for Temporary Waiver from Provisions of 205 CMR 255: Play Management

Director of Sports Wagering Bruce Band stated that on May 23, the Commission approved multiple operators requests for temporary waivers from provisions of 205 CMR 255. He stated that Fanatics had reached out to the Sports Wagering Division on May 25, and submitted additional requests for temporary waivers pursuant to 205 CMR 202.023 and 205 CMR 102.034. He stated that the requests were to waive the requirements of 205 CMR 255.03(1) and 205 CMR 255.04(4) through August 31, 2023, so that the operator could design an appropriate solution and test it in advance of the release. Director Band noted that this was a similar request to other licensees.

Commissioner Skinner moved that in accordance with 205 CMR 202.02(3), the Commission issue a waiver to FBG Enterprises Opco, LLC, D/B/A Fanatics from the requirements outlined in 205 CMR 255.03(1) and 205 CMR 255.04(4) through August 31, 2023, as granting the waiver meets the requirements specified in 205 CMR 102.03(4) and is consistent with the purposes of General Law Chapter 23N. Commissioner Hill seconded the motion.

Commissioner Skinner noted that Fanatics had also mentioned a waiver of 205 CMR 255.03(2), and asked whether that waiver was included in the previous meeting. Deputy General Counsel Caitlin Monahan stated that the waiver was already granted for 205 CMR 255.03(2)

Roll call vote:

Commissioner O'Brien: Aye.
Commissioner Hill: Aye.

Commissioner Skinner: Aye.
Commissioner Maynard: Aye.
Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

II. [Approval of House Rules](#) (1:46:38)

Sports Wagering Operations Manager Sterl Carpenter explained that Fanatics had submitted changes to their house rules. He explained that the operator had clarified “Same Game Parlay” and added clarifying language to the rules of baseball and soccer. He presented the changes to the house rules. The *Proposed House Rules Changes* were included in the Commissioner’s Packet on pages 32 through 35.

Commissioner Skinner sought clarification regarding the term “the entire parlay”. Mr. Carpenter stated that the same game parlay selection voided due to not taking place would be dropped and that the remaining legs of the parlay would stay and factor into the payout. Commissioner Skinner asked if it would be helpful to refer to it as the “Entire Parlay Stack”. Mr. Carpenter stated that he could review the language with Fanatics. Commissioner Skinner noted that the rules of soccer referenced “football” and asked if that was correct. Mr. Carpenter stated that football and soccer were used interchangeably within Fanatics’ house rules.

Chair Judd-Stein stated she was unsure if it would be accurate to include the word “stack” regarding same game parlays. Commissioner Skinner agreed and stated that she was not clear on the distinction. She stated that if Mr. Carpenter thought the language was acceptable, she would agree to it. Mr. Carpenter stated that the house rules noted that same game parlay stack was an alternate name that the bet was sometimes referred to. He stated that the “stack” was not necessary. Commissioner Hill encouraged the Sports Wagering Division to reach out to Fanatics to ensure the Commission’s understanding was correct.

Commissioner Hill moved that the Commission approve the amendments to the house rules submitted by the category three sports wagering operator FBG Enterprises Opco, LLC, D/B/A Fanatics as included in the Commissioner’s Packet and discussed here today. Commissioner Skinner seconded the motion.

Roll call vote:
Commissioner O’Brien: Aye.
Commissioner Hill: Aye.
Commissioner Skinner: Aye.
Commissioner Maynard: Aye.
Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

b. [BetMGM – Approval of House Rules](#) (1:57:28)

Mr. Carpenter explained that both BetMGM and MGM Springfield had changed their house rules. He stated that BetMGM had changed the phrase “one game parlay” to “same game parlay” throughout their house rules. He noted that both operators had added language to their house rules that funding by credit is prohibited in the Commonwealth of Massachusetts. *BetMGM and MGM Springfields’ House Rules* changes were included in the Commissioner’s Packet on pages 36 through 37.

Commissioner Hill moved that the Commission approve the amendments to the house rules submitted by the category three sports wagering operator, BetMGM, as included in the Commissioner’s Packet and discussed here today. Commissioner Skinner seconded the motion.

Roll call vote:

Commissioner O’Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

c. [MGM Springfield – Approval of House Rules](#) (2:01:50)

Commissioner Hill moved that the Commission approve the amendments to the house rules submitted by the category one sports wagering operator MGM Springfield, as included in the Commissioner’s 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 Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

d. [Update to House Rules re Credit Language](#) (2:02:47)

I. Crown MA Gaming (DraftKings)

Mr. Carpenter explained that three licensees had changed their house rules to include language that the use of credit to fund accounts is prohibited in Massachusetts. The proposed changes to house rules were included in the Commissioner’s Packet on pages 38 through 40.

Chair Judd-Stein noted that DraftKings’ language stated that a player could not fund an account with credit “while physically located in Massachusetts”. She expressed concern about a patron

funding their universal account with credit in another state and using those funds in Massachusetts. Commissioner Skinner agreed that the language was questionable. Director Band stated that his understanding was that all licensees had agreed that credit-based funding in a universal wallet could not be transferred to Massachusetts sports wagering. Chair Judd-Stein stated that the Commission had provided language to the operators related to this issue and was concerned that DraftKings had drafted their own language. Commissioner O'Brien agreed.

Deputy General Counsel Monahan stated that operators were informed that they could not launch in Massachusetts if they allowed credit-funding in a universal wallet to be used in Massachusetts. She stated that all operators had indicated they had procedures in place to prevent this issue prior to their launch. Commissioner O'Brien noted that the other operators had used the language provided by the sports wagering division and questioned why DraftKings chose to use different language. Chair Judd-Stein expressed concern that DraftKings' language indicated that they might not have solved the universal wallet issue.

Commissioner Hill suggested that the Commission return to DraftKings' credit language at a later date due to the Commission's concerns. He requested that the Sports Wagering Division should reach out to DraftKings' and have them clarify why they chose that language. Commissioner O'Brien agreed. Executive Director Wells stated that prior to the launch of sports wagering, DraftKings had indicated that they have a proprietary universal wallet that had a system in place to ensure funds from a credit card in another state legally could not be used in Massachusetts, and that it would be disabled by the geolocation of the user.

II. [American Wagering \(Caesar's Sportsbook\)](#) (2:16:54)

Commissioner Skinner moved that the Commission approve the amendments to the house rules submitted by the category three sports wagering operator American Wagering Inc. D/B/A Caesar's Sportsbook as included in the Commissioner's Packet and discussed here today. Commissioner Hill seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

III. [Penn Sports Interactive](#) (2:17:32)

Commissioner Hill moved that the Commission approve the amendments to the house rules submitted by the category three sports wagering operator Penn Sports Interactive, D/B/A Barstool Sports as included in the Commissioner's Packet and discussed here today. Commissioner Maynard seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

Mr. Carpenter stated that he would reach out to DraftKings seeking clarification regarding the language they chose.

7. [Investigations and Enforcement Bureau](#) (2:20:14)

a. Discussion Regarding Sports Wagering Related Suitability Investigation

I. Executive Session

Chair Judd-Stein stated that the Commission is anticipated to meet in executive session in accordance with G.L. c.30A, §21(a)(7) and G.L. c. 4, §7(26)(f), to discuss investigatory materials related to the issuance of a sports wagering license necessarily compiled out of the public view by the IEB the disclosure of which materials would probably so prejudice the possibility of effective law enforcement that such disclosure would not be in the public interest. She stated that the public session of the Commission meeting will not reconvene at the conclusion of the executive session.

Commissioner O'Brien moved that the Commission go into executive session on the matter and for the reasons just stated by the Chair. Commissioner Hill seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Commissioner Maynard: Aye.

Chair Judd-Stein: Aye.

The motion passed unanimously, 5-0.

The Commission entered executive session. The public meeting did not reconvene at the conclusion of the executive session.

List of Documents and Other Items Used

1. [Revised Notice of Meeting and Agenda](#) dated May 25, 2023
2. [Commissioner's Packet](#) from the May 30, 2023, meeting (posted on massgaming.com)
3. [MGC DOJ Letter](#) dated May 30, 2023