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## Massachusetts Gaming Commission Meeting Minutes

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**Date/Time:** July 1, 2024, 11:00 a.m.

**Place:** Massachusetts Gaming Commission

VIA CONFERENCE CALL NUMBER: 1-646-741-5292

PARTICIPANT CODE: 112 530 9181

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:**

Interim Chair Jordan Maynard  
Commissioner Eileen O'Brien  
Commissioner Bradford Hill  
Commissioner Nakisha Skinner

#### 1. [Call to Order](#) (00:10)

Interim Chair Maynard called to order the 523<sup>rd</sup> Public Meeting of the Massachusetts Gaming Commission ("Commission"). Roll call attendance was conducted, and all four commissioners were present for the meeting.

Commissioner Hill requested that the Sports Wagering Division agenda item is covered first, before the Legislative Update. Interim Chair Maynard agreed without objections from the other commissioners.

#### 2. [Sports Wagering Division](#) (01:25)

##### a. Operations Certificate for Launch of Category 3 Operator Bally Bet

Sports Wagering Business Manager Crystal Beauchemin stated that the Commission's staff reviewed the conditions required for the approval of the Operations Certificate in the case of Bally's Interactive ("Bally Bet").

Ms. Beauchemin noted that if Bally Bet received their approval for the Operations Certificate on the day of the meeting, they would intend to launch Bally Bet Sportsbook in the Commonwealth the following day, July 2, 2024, at 11:00 A.M. *A Memorandum regarding Bally Bet's certificate of operations was included in the Commissioners' Packet on pages 3 through 5.* She explained that in accordance with 205 CMR 251.01(3)(a), the house rules were verified by Sports Wagering Operations Manager Andrew Steffen and approved by the Commission on June 20, 2024.

Vice President of Government and Regulatory Affairs of Gaming Labs International ("GLI") Joe Bunevith provided a detailed overview of the submittal, certification and verification process regarding the mobile application to the Commission for Bally Bet. He stated that the certification was issued when GLI verified the changes that were made for Massachusetts specific deployment. Furthermore, GLI found that the product met all Massachusetts requirements. Mr. Bunevith concluded by stating that GLI completed an entire internal control audit for Bally Bet.

Commissioner Skinner thanked Mr. Bunevith and requested that he provide a report, similar to this process in connection with other operators, detailing the categorized risks. Mr. Bunevith stated that he was not prepared at this time to complete a detailed walkthrough of said risks but confirmed that the process was connected with the internal controls. He noted that the report was provided to the Sports Wagering Division.

Interim Chair Maynard and Commissioner Skinner asked for clarification on the existence of any major issues within the report which would warrant the attention of the Commission. Mr. Bunevith stated that he did not see any apparent issues. He described the four parts of the internal control process: regulation, policy, procedure, and verification.

Senior Executive of Government Affairs of GLI Gabe Benedik assured the Commission that the compliance review of over 150 documents was done under both Massachusetts specific and GLI-33 rules and requirements. This process would be included in the report.

Commissioner Skinner clarified that the review conducted by GLI was not in question, just the results or any points that warranted further attention. Additionally, Commissioner Skinner noted that neither she nor the other Commissioners received the report and wanted to review the observations and categorizations to ensure that nothing stood out. Mr. Benedik replied by assuring full compliance and lack of observations that would raise concern.

Ms. Beauchemin stated that Executive Director Dean Serpa has signed off on the internal controls as required by 205 CMR 238.02(3). She stated that the completion of the requirements related to the occupational and vendor licenses in 205 CMR 251.03(b) was confirmed by Interim Chief Enforcement Counsel Kathleen Kramer and Chief of the Licensing Division Karalyn O'Brien. She further noted that the requirements in 205 CMR 251.03(c), (d) and (e) were not mentioned in the materials provided, since they do not apply to Category 3 licensees, unlike the other items listed.

Ms. Beauchemin proceeded to review the requirements that fell under 205 CMR 251.01(3)(f), which requires compliance with any other conditions imposed by the Commission to secure the objectives of G.L. c. 23N and 205 CMR, and noted that the items were completed the Friday prior to the Commission meeting. Ms. Beauchemin further confirmed the completion of the 205 CMR 251.02 requirements for a test period.

Commissioner Skinner asked whether the vendors were already licensed or if they had submitted their applications. Director of the Investigations and Enforcement Bureau Caitlin Monahan stated that the full licenses had not been issued, but the temporary licenses had been issued.

Based on the completion of the requirements, Ms. Beauchemin, on behalf of the Sports Wagering Division, recommended the approval of the Certificate of Operations for Bally Bet, effective July 1, 2024, and requested a vote.

Commissioner Skinner moved that the Commission find that the requirements outlined in 205 CMR 251 have been satisfied and that an Operations Certificate be awarded to Bally's Interactive LLC for the purposes of operating a Category 3 Sports Wagering operation commencing July 2, 2024, conditional upon Bally's Interactive LLC completing operational audits of wagering procedures and practices and technical security controls as required by the Commission's technical standards governing Sports Wagering at 205 CMR 243.01(1)(s) and 205 CMR 243.01(1)(x) within 90 days of the commencement of Sports Wagering operations. Commissioner O'Brien seconded the motion.

*Roll call vote:*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Commissioner Skinner: Aye.*

*Interim Chair Maynard: Aye.*

*The motion passed unanimously, 4-0.*

Interim Chair Maynard congratulated Bally Bet. Bally Bet's Director of Compliance Justin Black and Bally Bet's Chief Operating Officer Brett Calapp thanked the Commission on behalf of the Bally Bet team.

### 3. [Legislative Update](#) (24:46)

Commissioner Hill introduced the Economic Development Bill that the House of Representatives voted on and sent to the Senate. The bill did not include the language related to public records which was in the original economic development bill. Commissioner Hill briefly explained that one of the sections that was added to the bill, Section 124, allowed Suffolk Downs to have a simulcasting facility at any location within the counties of Suffolk and Worcester if approved by the Commission.

Commissioner Hill also noted the amendment to Section 124A which involves the Greyhound Capital Improvement Trust Fund and the Greyhound Promotional Trust Fund. He stated his understanding that the trust funds have not been in place since 2009 and that all funds were allocated to the Racing Stabilization Fund. The latter ceased making payments around 2016, leaving up to \$600,000 in the fund.

Commissioner Hill described that Section 154 dealt with the Running Horse Capital Improvement Trust Fund which would affect Raynham and Suffolk. He stated that the amendment would allow a portion of the funds in the Trust to be returned to the two entities by the Commission. The fund held up to \$6,000,000, and the amendment would allow for both entities to receive some of the funds back and further allow them to stop paying into the fund going forward.

Commissioner Hill further mentioned a bill that would allow the Commission to continue holding public meetings remotely, with a requirement that the Chair or Chair's designee be physically present in the Commission's building.

Commissioner Skinner asked about the status of the Economic Development Bill at this point in the process. Commissioner Hill clarified that the bill was voted on by the House of Representatives and went to the Senate for their deliberation.

Interim Chair Maynard commented that having the public records law brought into compliance with G.L. c. 23K would be helpful for the operators and the Commission to do their work.

Director of Racing Dr. Alexandra Lightbown noted an amendment that would direct the Commission to pay unclaimed simulcast wagers back to the licensee that generated them, rather than those monies going towards the purse accounts. Dr. Lightbown affirmed the need for further meetings and monitoring of the bill due to its legal and financial implications. Commissioner O'Brien followed up on the commentary by noting that the amendments mentioned by Dr. Lightbown would appear to be in conflict with abandoned property laws in most other circumstances.

Interim Chair Maynard, regarding agenda item 2, asked if there were any other comments regarding Bally Bet. Commissioner Skinner welcomed Bally Bet to Massachusetts and expressed her appreciation to the Commission's team for their work.

#### 4. [Commissioner Updates](#) (34:00)

After inquiry by Interim Chair Maynard, no commissioner updates were noted.

#### 5. [Other Business](#) (34:04)

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

Commissioner Hill moved to adjourn. The motion was seconded by Commissioner O'Brien.

*Roll call vote:*

*Commissioner O'Brien: Aye.*

*Commissioner Hill: Aye.*

*Commissioner Skinner: Aye.*

*Interim Chair Maynard: Aye.*

*The motion passed unanimously, 4-0.*

### **List of Documents and Other Items Used**

1. [Notice of Meeting and Agenda](#) dated June 27, 2024
2. [Commissioner's Packet](#) from the July 1, 2024, meeting (posted on massgaming.com)