



Massachusetts Gaming Commission
Agenda Setting
Meeting Minutes

Date/Time: August 30, 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 #151 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) August 2, 2023

Commissioner Maynard moved to approve the minutes from the August 2, 2023 agenda setting meeting included in the Commissioners’ packet subject to any necessary corrections for typographical errors or other non-material matters. 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 5-0.

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 – September 7, 2023 – 10:00 AM

Item #1 – Administrative Update – Interim Executive Director and General Counsel Todd Grossman confirmed this agenda item. Chair Judd-Stein requested that Director of Research and Responsible Gaming Mark Vander Linden provide an overview of activities scheduled for Responsible Gaming Month.

Item #2 – Meeting Minutes – Commissioner Maynard confirmed this agenda item.

Item #3 – Legislative Update – Commissioner Hill requested this remain a standing agenda item.

Item #4 – Regulations – Deputy General Counsel Caitlin Monahan confirmed the Legal Division does not anticipate having any regulations to present at this meeting.

Item #5 – Sports Wagering: 3 Quarterly Reports (Fanatics, FanDuel, WynnBet), Betr Waiver Requests – Director of the Sports Wagering Division Bruce Band confirmed that the Sports Wagering Division will present three quarterly reports, a waiver request from Betr, and PENN's house rules. Casino Regulatory Manager Andrew Steffen confirmed that the PENN house rules will be a follow-up from the last meeting.

Item #6 – Delegation of Authority – Vote – Commissioner Maynard confirmed this agenda item.

Item #7 – Race Horse Development Fund Benefits for Drivers and Jockeys – Director of the Racing Division Dr. Alexandra Lightbown and Commissioner Hill requested to postpone this agenda item since the Office of the Massachusetts Attorney General is currently looking into this program. Interim Executive Director and General Counsel Grossman provided more background and the Commissioners asked to extend an invitation for all stakeholders to speak on this issue.

Item #8 – Quarterly Report – MGM – Chief of the Community Engagement Division Joseph Delaney requested to postpone this agenda item to the September 21, 2023 public meeting.

Item #9 – Proposed Changes to the FY24 Gaming Research Agenda – Director of Research and Responsible Gaming Mark Vander Linden confirmed this agenda item.

Item #10 – PPC Floor Expansion – Chief Enforcement Counsel Heather Hall confirmed that Chief of the Gaming Agents Division Burke Cain and his team will present on the floor plan expansion. Chief Hall requested to go earlier in the meeting agenda on this date.

Item #11 – PPC Beverage License Amendment – Chief Hall confirmed that Plainridge Park Casino will be asking for a vote on the beverage license amendment during this meeting.

Item #12 – Continued Discussion of Potential Use of a Search Firm – Chief Financial and Accounting Officer Derek Lennon confirmed that a revised cover memo and meeting materials will be circulated in advance of a discussion with the Commission.

Item #13 – Continued Selection of Screening Committee for Executive Director – Chair Judd-Stein confirmed this agenda item.

Items For Public Meeting – September 21, 2023 – 10:00 AM

Item #14 – Administrative Update – Chair Judd-Stein confirmed that the Commissioners can use the Administrative Update to share an issue.

Item #15 – Meeting Minutes – Commissioner Maynard confirmed this agenda item.

Item #16 – Legislative Update – Chair-Judd-Stein confirmed this would be a standing agenda item.

Item #17 – Regulations – Deputy General Counsel Monahan confirmed the Legal Division are anticipating two new sports wagering regulations pertaining to the situation of an operator needing to shut down and simulcast relocation requests.

Add-On Item – Modifications to Community Mitigation Funds – Chief Delaney requested more time for a further discussion on the formula for distribution of funds, policy questions, and an early draft of guidelines with a final vote anticipated on the end of November.

Add-On Item – FY23 Close Out – Chief Lennon requested time to discuss the end of year close out since accounts payable will end on September 1, 2023 and any adjustments to the accounting system will be ready by this meeting date.

Item #18 – Sports Wagering – Director Band confirmed that the Sports Wagering Division will have a branding waiver request to discuss with the Commission.

Items Under Review for Future Meetings:

Add-On Item – Diversity Audit Report – Chair Judd-Stein requested an update on the Diversity Audit Report. Commissioner Skinner confirmed she will review with the team and decide on the best date to present this in the future.

Add-On Item – RFI for Licensing Management System – Chair Judd-Stein requested an update on the RFI for the licensing Management System. Chief Hall requested to keep this item under review.

Add-On Item – Springfield Projects – Commissioner Hill inquired about the process to have open public comments about projects during the Commission’s in-person visit to Springfield during the October 19, 2023 public meeting. Division Chief of Communications Thomas Mills mentioned

potential operational challenges and planning considerations for the Commission in livestreaming an in-person meeting.

Item #19 – ILEV Review Process – Chief Delaney requested to keep this agenda item under review.

Item #20 – Compliance Committee – Commissioner O’Brien requested to keep this agenda item under review.

Item #21 – HCA Compliance Update (All Properties) – Chief Delaney requested to keep this agenda item under review.

Item #22 – Request to Escrow RHDF - Vote – *This agenda item was not discussed.*

Item #23 – 90 Day Audit – Director Band requested to keep this agenda item under review.

Item #24 – Public Safety Follow Up – Chief Hall requested to keep this agenda item under review in case there is any follow-up discussion needed.

Item #25 – Economic Impact Reports – Research Manager Dr. Bonnie Andrews requested to keep this agenda item under review.

Item #26 – Requests from PPC (5) – Director Lightbown requested time during the September 21, 2023 public meeting to discuss the two capital improvement requests and two promo requests for reimbursements as well as a capital fund request regarding the paddock.

Item #27 – Bet Restriction by Operator – Director Band requested to keep this agenda item under review.

Item #28 – Cashless Wagering - PPC – Chief Hall requested to keep this agenda item under review.

Item #29 – Update/Next Steps RE: Penn and ESPN Deal – Chief Hall confirmed the report could be presented during the October 2, 2023 public meeting.

Having no further business, Commissioner O’Brien moved to adjourn. Commissioner Skinner 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 August 30, 2023
2. Agenda Setting Meeting Minutes, dated August 2, 2023

FUTURE SCHEDULED MEETING DATES:

September 7 (Public)
September 13 (Agenda)
September 21 (Public)
September 27 (Agenda)
October 2 (Public)
October 11 (Agenda)
October 19 (Public)
October 25 (Agenda)
November 2 (Public)
November 8 (Agenda)
November 16 (Public)
November 30 (Agenda)