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**Massachusetts Gaming Commission**  
**Agenda Setting**  
**Meeting Minutes**

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**Date/Time:** September 13, 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 #152 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 30, 2023

Commissioner Maynard moved to approve the minutes from the August 30, 2023 agenda setting meeting included in the Commissioners’ packet subject to any necessary corrections for typographical errors or other non-material matters. 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 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 21, 2023 – 10:00 AM**

Item #1 – Administrative Update – Interim Executive Director and General Counsel Todd Grossman confirmed this agenda item.

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

Item #3 – Legislative Update – Commissioner Hill confirmed he would like to keep this as a standing agenda item. Chair Judd-Stein proposed putting together a legislative packet in the future and Commissioner Hill asked questions about the process.

Item #4 – Regulations: Two Sports Wagering Regulations – Deputy General Counsel Caitlin Monahan confirmed the Legal Division would like to move these regulations to the October 19, 2023 meeting.

Item #5 – Sports Wagering: Branding Waiver Request, TBG Security Approval (90 Day Audit) – Director of the Sports Wagering Division Bruce Band confirmed his team would bring forward a branding waiver request from DraftKings related to their corporate logos in sports stadiums, additional 90-day approval matters, and the approval of another vendor. Interim Sports Wagering Operations Manager Andrew Steffen confirmed that the Sports Wagering Division will also have a house rules update and a new event petition for the Commissioners' vote and approval. Manager Steffen shared that the new event was submitted by DraftKings and is a revisit of World Jai-Alai. Commissioner O'Brien inquired about a Boston Globe article from August 25, 2023 by Michael Silverman about pickleball. Chief of the Communications Division Thomas Mills confirmed he will share the article and the USA Pickleball rules.

Item #6 – MGM Quarterly Report – Chief of the Community Engagement Division Joseph Delaney confirmed that MGM has asked to defer this presentation until the Commission's in-person visit to MGM in November 2023.

Item #7 – CMF Modifications Further Discussions – Chief Delaney confirmed that the Community Engagement Division would circulate a policy question memo and a draft of the distribution formula for the Commission's review.

Item #8 – FY23 Close Out – Chief of the Finance Division Derek Lennon noted that he may need to move this agenda item to a future meeting and will work with Chief Administrative Officer Grace Robinson to coordinate.

Item #9 – Requests from PPC (5) – Steve O’Toole – Director of the Racing Division Dr. Alexandra Lightbown requested to move this agenda item to October 2, 2023.

Item #10 – Executive Session Minutes Review – Chief Administrative Officer to the Chair Grace Robinson confirmed there are multiple sets of executive session minutes and that one would be presented by Anderson & Kreiger and another by the Legal Division. Commissioner Maynard confirmed that the executive session minutes are forthcoming, and that Commissioner Hill is closing out some of the executive sessions.

Item #11 – Interim IEB Director Compensation Discussion – Chair Judd-Stein confirmed this agenda item would be in executive session. Chief Lennon confirmed he would be ready to present a brief analysis of what has been done in the past and the rationale.

Add-On Item – Standardbred Owners’ Association of Massachusetts’ Request – Director Lightbown asked for time on the agenda to discuss the Standard Owners’ Association of Massachusetts’ request to be recognized as the group representing the breeders. Director Lightbown added that this is an annual requirement and that their first races would be at the end of September 2023, so this request is timely.

Add-On Item – Study on “Hard Stop” Pilot Program – Director of the Research and Responsible Gaming Division Mark Vander Linden requested to time to discuss a change to the research agenda on conducting a study to explore the effectiveness of a “hard stop” in “Play My Way.” Commissioner Skinner asked for more information about what the pilot program would look like and Director Vander Linden provided a brief explanation. Chair Judd-Stein clarified this is asking for approval of a study versus the pilot itself.

## Items For Public Meeting – October 2, 2023 – 10:00 AM

Item #12 – Administrative Update – Chair Judd-Stein confirmed this agenda item.

Item #13 – Meeting Minutes – Chair Judd-Stein confirmed this agenda item.

Item #14 – Legislative Update – Chair Judd-Stein confirmed this agenda item.

Item #15 – Regulations – Deputy General Counsel Carrie Torrisi confirmed the Legal Division does not anticipate having any regulations on this date.

Item #16 – Sports Wagering – Director Band confirmed he would like to keep this as a standing agenda item.

Item #18 – Updates/Next Steps RE: PENN and ESPN Deal – Interim Director of the Investigations and Enforcement Bureau Heather Hall confirmed this agenda item.

Item #19 – Permanent IEB Director Hiring Process – Chair Judd-Stein confirmed this would be a discussion on how the Commission wishes to approach the hiring process.

Add-On Item – Vote on Local Community Mitigation Advisory Committee Members – Chief Delaney confirmed that the Commissioners have to re-vote on the members of the Local Community Mitigation Advisory Committee annually and that there is a new member this year.

#### Items Under Review for Future Meetings:

Item #20 – ILEV Review Process – Chief Delaney requested to keep this agenda item under review.

Item #21 – Compliance Committee – Commissioner O’Brien requested to keep this agenda item under review.

Item #22 – HCA Compliance Update (All Properties) – Chief Delaney requested to keep this agenda item under review.

Item #23 – 90-Day Audit – Chair Judd-Stein confirmed this agenda item can be removed since it is discontinuing.

Item #24 – Economic Impact Reports – Research Manager of the Research and Responsible Gaming Division Dr. Bonnie Andrews requested to keep this agenda item under review.

Item #25 – Bet Restriction by Operator – Director Band requested to keep this agenda item under review.

Item #26 – Cashless Wagering - PPC – Interim Director Hall and Division Chief of the Gaming Agents Burke Cain confirmed that there would be an on-site demonstration on cashless wagering at PPC on October 26, 2023. Chair Judd-Stein inquired about whether this would be a possible public meeting or executive session to give the Commissioners an opportunity to ask questions during the demonstration. Deputy General Counsel Torrisi confirmed that there will be future regulations on this topic.

Item #27 – Diversity Audit – Commissioner Skinner requested to add Chief People Officer David Muldrew and DEI Program Manager Boniswa Sundai to this agenda item. Chair Judd-Stein confirmed that a status update can tentatively be scheduled for the public meeting on October 2, 2023.

Item #28 – Licensing Management System RFI Update – *This agenda item was not discussed.*

Item #29 – Race Horse Development Fund Benefits for Drivers and Jockeys (Continued Discussion) – Commissioner Hill and Director Lightbown requested to keep this agenda item under review.

Item #30 – Mission Statement Working Group Report – Commissioner O’Brien and Commissioner Maynard requested to keep this agenda item under review.

Add-On Item – Application for Racing Licenses – Director Lightbown requested time during a future meeting for the Commissioners to discuss PPC’s application for a racing license.

Add-On Item – MGC Internship Program – Commissioner Maynard requested time during a future meeting to discuss a potential student internship program. Commissioner Maynard indicated that he would meet with other MGC staff to discuss budgetary issues and then bring this forward for the Commission’s review and consideration.

Add-On Item – FY24 First Quarterly Update – Chief Lennon requested time during the October 19, 2023 meeting to discuss the first FY24 quarterly update.

*Having no further business, Commissioner Hill moved to adjourn. 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. Meeting adjourned.*

**List of Documents and Other Items Used**

1. Notice of Meeting & Agenda, dated September 13, 2023
2. Agenda Setting Meeting Minutes, dated August 30, 2023

**FUTURE SCHEDULED MEETING DATES:**

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 13 (Agenda)  
November 16 (Public)  
November 30 (Agenda)