



Massachusetts Gaming Commission Meeting Minutes

Date/Time: September 26, 2024, 10:00 a.m.
Place: Massachusetts Gaming Commission

VIA CONFERENCE CALL NUMBER: 1-646-741-5292
PARTICIPANT CODE: 111 620 1781

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](#) (00:00)

Interim Chair Jordan Maynard called to order the 533rd Public Meeting of the Massachusetts Gaming Commission ("Commission"). Roll call attendance was conducted. All Commissioners were present for the meeting.

- #### 2. [Meeting Minutes](#) (00:49)
- a. December 20, 2022
 - b. August 24, 2023
 - c. October 2, 2023
 - d. November 16, 2023

The four sets of meeting minutes were included in the meeting packet on pages 4 through 93.

Commissioner Skinner moved to approve the minutes from December 20, 2022, October 2, 2023, and November 16, 2023 included in the Commissioner's Packet and discussed here today, subject to any necessary edits for typographical errors or any other non-material matters. Commissioner O'Brien seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Aye.

Interim Chair Maynard: Aye.

Commissioner O'Brien asked about the accuracy of the heading within the August 24, 2023 minutes, noting that Interim Chair Maynard was marked as not present. Interim Chair Maynard offered clarification that he arrived partway through the meeting.

Commissioner Skinner moved to approve the minutes from August 24, 2023 included in the Commissioner's Packet and discussed here today, subject to any necessary edits for typographical errors or any other non-material matters. Commissioner O'Brien seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye.

Commissioner Hill: Aye.

Commissioner Skinner: Abstain.

Interim Chair Maynard: Aye. For the portions of the meeting he was in attendance.

The motion passed unanimously 3-0. One abstention.

3. [Administrative Update](#) (03:28)

Executive Director Serpa provided an Administrative Update regarding a scheduled Community Mitigation Fund Grantee visit on Thursday September 29, 2024. He stated that the visit would include a walking tour of two occupational education classes of the Metro Boston Regional Hospitality Consortium, followed by a sit-down briefing and discussion with the Grantee. He stated that the walking tour will be a private meeting, with media observing only, while the full briefing would be held as a public meeting with full Commissioner participation and potential media Q&A at the end.

Commissioner Hill asked for confirmation on whether Commissioners would stagger their interactions in the non-public portion or hold questions for the Grantee until the briefing portion of the public meeting. Executive Director Serpa clarified that the idea was for the full Commission to move together as a single group on the walking tour and hold questions until the briefing. Commissioner Hill thanked the Community Affairs Division and Grace Robinson for their work on operationalizing the process for these visits and acknowledged the difficulty of balancing engagement with Open Meeting Law requirements.

Executive Director Serpa also reported that the Commission's Communications Division and HR Division had worked to place an internship application portal on the main website, and it was now operational. He explained that prospective applicants could now find information on how to

apply for open internships within the Commission. Director Serpa added that the Communications Division promoted the opportunity on social media, and they received an application for the Spring 2025 semester. He added that the Commission was currently hosting two six-month Co-op students and had established a new relationship with Northeastern University's Co-op program. Commissioner O'Brien noted her appreciation for the program and excitement that it was coming to fruition.

Executive Director Serpa then introduced Mark Vander Linden, Director of the Division of Research and Responsible Gaming, to provide an update on voluntary self-exclusion. Director Vander Linden highlighted a significant milestone for the program. As of Monday, September 16th, there were over 2,000 people actively enrolled in the program for the first time. He added that this number did not include the 709 people who had previously enrolled in the program and had since been removed from the list. Director Vander Linden also mentioned an early evaluation of the Massachusetts voluntary self-exclusion program which indicated that it was an effective intervention for individuals struggling to control their gambling. Participants in the evaluation reported reduced gambling-related problems, including improvements in their mental health and relationship qualities. Commissioners thanked Director Vander Linden for his presentation and congratulated Director Vander Linden for this milestone.

4. [Community Affairs Division](#) (12:52)

a. Proposed FY2026 Community Mitigation Fund Guidelines

Joe Delaney, Chief of Community Affairs Division, presented the draft FY2026 Community Mitigation Fund guidelines to the Commission for review. *The Draft FY2026 Community Guidelines were included in the meeting packet on pages 93 through 176.* Chief Delaney stated the intent of the Guidelines was to maintain the status quo after the Block Grant system was implemented last year, with additional guidance provided in areas where communities had encountered difficulties in their applications.

Chief Delaney walked Commissioners through portions of the 2026 Guidelines and highlighted additional guidance regarding the definition of "nexus to the casino" for project justification and vehicle purchases. He explained that for vehicle purchases, the vehicle should be for a new effort addressing casino impacts, not a replacement of an existing fleet vehicle. Additionally, an application should detail the percentage of time the vehicle will be used for addressing casino impacts and its proximity to the casino. Chief Delaney cited that minor tweaks to request more documentation in applications, and in the application forms themselves were also made.

Commissioner Hill stated that what was presented was adequate and appropriate, acknowledging the hard work of the Local Mitigation Advisory Committees in both regions who agreed on the proposals. Interim Chair Maynard echoed his appreciation for the regions, realizing the importance of the financial adjustments this year.

Chief Delaney then moved forward to a discussion on Surrounding Host Communities.

b. Discussion of Surrounding Communities, Particularly Regarding the City of Revere

Chief Delaney explained that research was conducted on the relevant laws and regulations regarding surrounding communities, particularly in relation to the City of Revere. He stated that Deputy General Counsel Jenna Hentoff and Associate General Counsel Judith Young from the legal department had provided a memo in the packet detailing their findings. *The memorandum was included on pages 178 through 179 of the meeting packet.*

Chief Delaney explained that the designation of surrounding communities was a one-time event tied to Commission's original Request for Applications (RFA) in 2014 for Gaming Licensees, and Revere did not petition for this designation at that time. He did note, however, that the City of Revere was eligible to receive funding from the Community Mitigation Fund, which they have historically done.

Chief Delaney highlighted that the question was whether Revere could receive additional funding in the Block Grant system, similar to the \$200,000 provided to designated surrounding communities. Chief Delaney summated that due to not being a designated surrounding community within the process contemplated within M.G.L. c. 23K, § 17(a), Revere was not eligible for the Surrounding Community funding through the current block grant formula. Chief Delaney highlighted that Revere could always apply for a waiver to receive additional funding for desired projects and grants that exceeded the amounts they were eligible for. Additionally, the Commission could amend the formula for the Municipal Block Grant Program and allow for additional funds to be permitted for geographically adjacent communities which are not tied to host or surrounding community status.

Commissioner Hill expressed that his inclination was to leave the process as is and reiterated that the City should utilize the waiver process under 205 CMR 153.02(1)(i) for projects beyond their allocated funding. Commissioner Skinner and O'Brien agreed. Interim Chair Maynard expressed that he appreciated that the Commission was willing to work with Revere on projects through the Community Mitigation Fund that fit the law.

Chief Delaney stated that based on the Commissioners' input, they would proceed with the grant allocations as presented in the Guidelines and not make changes at this time. He stated that if Commissioners reached consensus, the Division would post the Guidelines for public comment for a couple of weeks, with the intent to bring them back for final approval at the first public meeting in November.

Interim Chair Maynard and Commissioners reached consensus that the Guidelines could be posted for comment. Chief Delaney thanked the Commissioners for their insights.

5. [Sports Wagering Division](#) (30:45)

a. Update to House Rules

Andrew Steffen, Sports Wagering Operations Manager, provided updates regarding three sports wagering operators' requests to update their House Rules.

i. [BetMGM](#) (30:58)

Starting first with BetMGM, Sports Wagering Operations Manager Steffen highlighted that BetMGM was seeking additional language changes in their house rules regarding Same Game Parlays ("SGPs"). *A memorandum regarding the changes and proposed edits to BetMGM's House Rules was included in the meeting packet on pages 180 through 183.* He stated that the change states that unless specified otherwise in specific sports betting rules for the MLB, NBA, NFL, and NCAA basketball and football, if a selection within an SGP was canceled or voided, the wager odds would be recalculated using the remaining open legs of the parlay. He added that for all other baseball, basketball, and football leagues, if any leg in an SGP was void or canceled, the entire SGP was void. He explained that this change benefits customers for the five specific leagues. Manager Steffen stated that the Sports Wagering Division was recommending approval for this change. Zach Krouse, BetMGM Trading Compliance Analyst, was present to answer any questions from Commissioners.

Commissioner Hill moved that the commission approve the updates to BetMGM's House Rules 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.

Interim Chair Maynard: Aye.

The motion passed unanimously 4-0.

ii. [MGM Springfield](#) (33:33)

Sports Wagering Operations Manager Steffen presented the changes to MGM Springfield's House Rules for its retail sports book. *A memorandum regarding the changes requested by MGM Springfield was included in the meeting packet on pages 184 through 185.* Mr. Steffen explained that MGM Springfield was requesting a slight clarification to their House Rules, including an additional update to their minimum wager policy at the sportsbook counter, stemming from a recent patron dispute. He added that the updated rules also included the removal of language regarding the minimum length of play for football games, to align with BetMGM's House Rules while they work on an issue with their kiosks. Manager Steffen concluded by stating that the Sports Wagering Division was recommending approval for these changes.

Commissioner Skinner moved that the Commission approve the updates to MGM Springfield's House Rules 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.

Interim Chair Maynard: Aye.

The motion passed unanimously 4-0.

iii. [Caesars](#) (35:38)

Operations Manager Steffen then presented the requested changes to Caesars' House Rules for its online platform. *A memorandum regarding the changes and proposed changes to Caesars' House Rules were included in the meeting packet on pages 186 through 201.* Operations Manager Steffen noted that the changes were more substantial than the first two requests presented to the Commissioners. He explained that the Sports Wagering Division recently requested that Caesars add language to its House Rules prior to offering Cross sport proposition markets, and that Caesars had submitted language to that effect for the Division's review. Operations Manager Steffen offered an example of a cross-sport prop bet, comparing Kansas City Chiefs quarterback Patrick Mahomes' passing touchdowns versus LeBron James' three-point attempts during a similar time frame, often around the Super Bowl.

Additionally, Operations Manager Steffen stated that Caesars made clarifications to the cash-out feature on the app, as well as within sections detailing golf, field hockey, ice hockey, and tennis. He concluded by stating that the Sports Wagering Division reviewed these changes, confirmed they met the requirements of 205 CMR 247.02, and was now recommending their approval by the Commission.

Commissioner Hill moved that the Commission approve the updates to Caesar's house rules 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.

Interim Chair Maynard: Aye.

The motion passed unanimously 4-0.

b. [Commission Consideration to Add Language to Event Catalog to Prohibit Individual Collegiate Awards](#) (42:46)

Operations Manager Steffen stated the next item was an issue that was brought to the attention of the Division regarding potential confusion concerning the prohibition of individual collegiate awards within the Commission's Sports Wagering Event Catalog. He stated that these awards included awards to collegiate athletes, like the Heisman Trophy and Naismith Awards. Mr. Steffen explained that while the catalog prohibits wagers dependent on individual collegiate

athlete performance, the current language on awards was permissive for all approved leagues and did not explicitly exclude collegiate athletes from the category. Bearing this in mind, Operations Manager Steffen stated that the Division proposed adding language to the event catalog to further prohibit these individual collegiate awards, as outlined in the meeting packet. *A memorandum regarding the prohibited wagers was included in the meeting packet on pages 202 through 203.* Mr. Steffen clarified that operators were notified before their platforms launched in 2023 that these markets were not permitted in Massachusetts, and no operator had offered them. He added that this change was being made solely for increased clarity.

Interim Chair Maynard noted the proposed change aligned with his view of the statute. Commissioner O'Brien agreed, and thanked Mr. Steffen for preemptively answering her question about whether there had been any betting on these kind of awards. She expressed her support for clarifying the prohibition.

Commissioner O'Brien moved that the commission amend the official catalog of events and wagers to include the prohibition on wagering on individual Collegiate Awards 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.

Interim Chair Maynard: Aye.

The motion passed unanimously 4-0.

6. [Legal Division](#) (45:18)

- a. 205 CMR 219.04: Applying for Leave to Obtain a Renewed Temporary License-Regulation and Amended Small Business Impact Statement for final review and possible adoption

Carrie Torrisi, Deputy General Counsel, presented the proposed and final amendments to 205 CMR 219.04. *A memorandum, Amended Small Business Impact Statement and draft of the regulation were included on pages 204 through 210 of the meeting packet.* Deputy General Counsel Torrisi stated that the amendments were made to align the regulation with the Commission's original intent of giving the IEB three years to complete its durable suitability review of temporary license holders. She explained that the current regulation language inadvertently gives only two years due to wording regarding "sports wagering license" instead of "sports wagering license renewal". Deputy General Counsel Torrisi stated that a public hearing was held on September 17, 2024 and no public comments were received. The Legal Division was now seeking a vote of approval from the Commission to file the final version of the regulation with the Secretary of the Commonwealth.

Commissioner Skinner moved that the Commission approve the Amended Small Business Impact Statement and the draft of 205 CMR 219.04 as included in the Commissioner's packet and discussed here today, and further that staff be authorized to take the steps necessary to file the required documentation with the Secretary of the Commonwealth to finalize the regulation promulgation process. 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.

7. [Research and Responsible Gaming Division](#) (47:52)

a. Update on Section 97 Player Data Project

Mark Vander Linden, Director of the Division of Research and Responsible Gaming, provided an update on the Section 97 Player Data Project. He stated that Section 97 of Chapter 194 of the Acts of 2011 required gaming licensees to supply data from player loyalty programs to the MGC, which then contracts with a research entity to anonymize the data for qualified researchers for harm minimization, harmonization strategies, and high-risk gambling monitoring. Director Vander Linden stated that implementation was delayed in 2014 until all Massachusetts casinos were operational due to competitive disadvantage concerns. Preparations began in 2016, including work with internal and external stakeholders. He stated that the current goal and focus of the Project was on data collection, security, anonymization, and establishing a data enclave.

Director Vander Linden stated that the Division was working with the gaming establishments to address technical challenges, and that their shared goal was to have the data available to researchers by the end of 2025.

Commissioner O'Brien expressed her appreciation for the continued work on this complex and important project, especially considering the various challenges encountered surrounding data collection and retention. Commissioner Hill highlighted the significant impact of COVID-19 and changes in government administrations as major roadblocks to the project's progress and commended Director Vander Linden's team on this very complex issue. Interim Chair Maynard emphasized the importance of this project and the MGC's role as a thought leader in this area and thanked Director Vander Linden and the Division for this initiative and updating the Commissioners on the project.

8. [Investigations and Enforcement Bureau](#) (56:44)

a. Rebrand of the Sportsbook at Plainridge Park Casino to ESPNBet

Karalyn O'Brien, Licensing Division Chief, provided an update on the rebranding initiative of Plainridge Park Casino from Barstool Sportsbook to the ESPNBet. She stated that this was to

align the retail sportsbook with the rebranding of Penn's mobile app to ESPNBet. She stated that despite the name change, there were no substantive changes to the way the retail location would be conducted. *A memorandum regarding the Rebranding of the Sportsbook at Plainridge to ESPNBet was included in the meeting packet on pages 215 and 216.* Chief O'Brien stated that from a licensing perspective, no specific approvals are believed to be necessary according to 205 CMR 136 regarding changes to licensed areas.

Chief O'Brien stated that PPC was aware that they were required to update their internal controls and were working with the Sports Wagering Division. Commissioner Skinner inquired when the rebranding initiative would take effect. Chief O'Brien clarified that there was no vote on this item required before implementation, but that PPC was seeking guidance from the Commission prior to moving forward with the name change. She explained that the delay between updating the mobile app and retail sportsbook was due to uncertainty about which retail locations were going to be rebranded.

Commissioner O'Brien inquired about the kind of guidance PPC was seeking from the Commission. Chief O'Brien stated that the Licensee was acting out of an abundance of caution to ensure that there was no further information or requirements Commissioners wanted to impose prior to beginning their rebranding efforts. Commissioner O'Brien stated that she agreed with the assessment that there was no specific approval necessary under the law but noted that there could be a question related to overall suitability once the final branding product was implemented. She noted that at present, however, she did not see any immediate issues with the plan to rebrand the sportsbook.

Interim Chair Maynard asked if Commissioners were comfortable with what Chief O'Brien presented today and moving forward. Commissioners reached consensus on this matter. Interim Chair Maynard thanked Chief O'Brien for her presentation.

9. [Presentation of Workforce and Vendor Diversity Audit of Encore Boston Harbor, MGM Springfield and Plainridge Park Casino](#) (1:01:57)

Executive Director Serpa introduced the item, reminding Commissioners of the requirements in M.G.L. Chapter 23K, sections 15 and 16 for gaming licensees to have diversity goals for workforce and vendor participation. *A memorandum and presentations regarding the Workforce and Vendor Diversity Audit were included in the meeting packet on pages 217 through 277.* Executive Director Serpa reported that a workforce and vendor diversity audit of Encore Boston Harbor, MGM Springfield, and Plainridge Park Casino was conducted between June 2023 and August 2024. Director Serpa noted that RSM, LLP, performed the audit and had created reports of their findings for the Commission.

Clara Ewing, Senior Director, and Duffy Leidner, Director, from RSM were also present to provide their summaries and findings on the audit. They noted the licensees' cooperation and willingness to provide materials relevant to the audit. Mr. Leidner provided a high-level

overview of the audit's objectives, scope, and methodology, which included on-site visits, interviews, review of tracking systems, and an evaluation of Minority, Women, and Veteran business (“M/W/VBE”) certifications. The RSM team provided recommendations for the Commission including, formalizing definitions of key terms in diversity plans and reports, establishing standardized reporting templates, and collaborating with each licensee to define acceptable M/W/VBE certification agencies.

Commissioner Skinner thanked RSM for their presentation and findings. She also reiterated the licensees' cooperation with the audit. She highlighted challenges due to working with diversity plans dating back to 2014 that were focused on construction and suggested updating regulations to include operational requirements and the sports wagering operators. She also recommended standardizing reporting across all Commission licensees.

Commissioner O'Brien agreed with the issues raised by Commissioner Skinner and noted that when looking at the actual numbers of the licensees, there was a disconnect in some cases. She mentioned that Penn originally based its anticipated numbers for Springfield on that specific demographic and geography, but the location shifted without the numbers changing. She raised the point that as the licensees come up for renewal, this should be revisited. She raised a question about the regulatory authority mandating compliance with diversity numbers for sports wagering licensees who do not have employees in the Commonwealth, compared to the requirement of simply reporting numbers on a quarterly basis. General Counsel Grossman acknowledged that the audit and reporting requirements primarily focused on the casino side but recognized the need to expand into sports wagering. He stated that he would look into the regulatory authority question raised by Commissioner O'Brien.

Interim Chair Maynard thanked RSM, the MGC Diversity Audit team, Commissioner Skinner and Boniswa Sundai for their work on this important project, noting the evolution of workforce vendor diversity in the last decade. He emphasized the Commission's long-standing commitment to this issue and concluded by stating the need to keep moving forward. Commissioner Hill agreed and added that the report was well done. General Counsel Grossman reported that the Audit team would prepare regulatory language based on the Commission's feedback and bring it back for review in the near future.

10. [Commissioner Updates](#) (1:30:06)

Commissioner O'Brien reported that she had spoken to Director Vander Linden about a Chamber of Commerce event regarding changes to data analytics and tracking initiatives utilized by marketing firms. She stated that the information presented was incredibly helpful to the work done at the Commission and will be very helpful into Director Vander Linden's research into AI and machine learning to flag potential gaming disorders.

11. [Other Business](#) (1:31:51)

There was no other business presented at today's meeting.

Commissioner O'Brien moved to adjourn the meeting. Commissioner Skinner 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. Meeting Adjourned.

List of Documents and Other Items Used

1. [Notice of Meeting and Agenda](#) dated September 25, 2024