



Massachusetts Gaming Commission
Agenda Setting
Meeting Minutes

Date/Time: September 27, 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 #153 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) September 13, 2023

Commissioner Maynard moved to approve the minutes from the September 13, 2023 agenda setting meeting included in the Commissioners’ packet subject to any necessary corrections for typographical errors or other non-material matters. Commissioner Hill 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 – October 2, 2023 – 10:00 AM

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

Item #2 – Meeting Minutes 2/14/23 & 2/23/223 – Commissioner Maynard confirmed this agenda item.

Item #3 – Legislative Update – Commissioner Hill confirmed he would like to keep this as a standing agenda item.

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

Item #5 – Sports Wagering: Branding Waiver Request – Director of the Sports Wagering Division Bruce Band confirmed his team would bring back the DraftKings branding waiver issue. A discussion ensued among the Commissioners about the specific issues DraftKings would present during this meeting.

Item #6 – Updates/Next Steps re PENN and ESPN Deal – Interim Director of the Investigations and Enforcement Bureau and Chief Enforcement Counsel Heather Hall confirmed PENN representatives would be at this meeting to present updates to the deal.

Add-On Item – IEB Report on PSI/Barstool Branding Relationship – Interim IEB Director and Chief Enforcement Counsel Hall confirmed Enforcement Counsel Zachary Mercer would present on this issue.

Item #7 – Permanent IEB Director Hiring Process – Chair Judd-Stein confirmed the Commissioners can get input from Anderson & Kreiger LLP about this agenda item.

Item #8 – PPC Requests (5) – Steve O’Toole – Director of the Racing Division Dr. Alexandra Lightbown confirmed that her team would present four requests from Plainridge Park Casino: three different reimbursements for items that the Commissioners previously approved and one for additional capital improvement funds for the paddock renovations.

Item #9 – LMAC Members Vote – Chief of the Community Engagement Division Joseph Delaney confirmed this agenda item. Senior Program Manager Mary Thurlow confirmed that all of the Commissioners received the biographies for the six LMAC members.

Item #10 – FY23 Close Out – Chief Financial and Accounting Officer Derek Lennon confirmed this agenda item and that the Finance Division would be available for 2 by 2 meetings.

Item #11 – Proposed Changes to the FY24 Gaming Research Agenda – Director of the Research and Responsible Gaming Division Mark Vander Linden provided background information about the proposed study on a “soft” versus “hard” stop for “Play My Way” and that they are still in the process of identifying a casino partner.

Add-On Item – EBH Beverage License Request – Interim IEB Director and Chief Enforcement Counsel Hall confirmed that this agenda item can be scheduled for October 2, October 19, or another date.

Items For Public Meeting – October 19, 2023 – 10:00 AM

Item #12 – Administrative Update – Interim Executive Director and General Counsel Grossman confirmed this agenda item.

Item #13 – Meeting Minutes – Commissioner Maynard confirmed this agenda item.

Item #14 – Legislative Update – Commissioner Hill confirmed he would like to keep this as a standing agenda item.

Item #15 – Regulations – Deputy General Counsel Monahan confirmed the Legal Division would present four regulations for a vote: 205 CMR 219, 205 CMR 231, 205 CMR 15, and 205 CMR 258.

Item #16 – Sports Wagering – Director Band confirmed he anticipates the Sports Wagering Division will have house rules related issues for this meeting.

Item #17 – FY 24 Budget Update – Chief Lennon confirmed this agenda item.

Add-On Item – Draft Guidelines – Chief Delaney requested time during this meeting to discuss the draft guidelines and take a vote in order to put it out for public comment.

Add-On Item – GameSense Quarterly Report – Director Vander Linden requested time during this meeting to discuss the GameSense Quarterly Report on responsible gaming education covering through the end of September.

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

Item #18 – Administrative Update – Chair Judd-Stein confirmed this agenda item.

Item #19 – Meeting Minutes – Chair Judd-Stein confirmed this agenda item.

Item #20 – Legislative Update – Commissioner Hill confirmed no legislative update is needed during this meeting.

Item #21 – Regulations – Chair Judd-Stein confirmed this agenda item.

Item #22 – Sports Wagering – Chair Judd-Stein confirmed this agenda item.

Item #23 – MGM Quarterly Report (Q2 & Q3) – Chief Delaney confirmed this agenda item.

Add-On Item – Community Mitigation Fund Guidelines and Distribution Formula – Chief Delaney requested to put a hold on this meeting date to discuss any substantive matters related to the Community Mitigation Fund.

Add-On Item – Key Research Findings – Director Vander Linden requested time during this meeting date to discuss the summary of FY23 research agenda, including overarching findings and recommendations.

Items Under Review for Future Meetings:

Item #24 – ILEV Review Process – Chief Delaney requested to keep this agenda item under review.

Item #25 – Compliance Committee – Commissioner O’Brien requested to keep this agenda item under review.

Item #26 – HCA Compliance Update (All Properties) – Chief Delaney requested to keep this agenda item under review.

Item #27 – 90-Day Audit – Director Band requested to keep this agenda item under review.

Item #28 – Economic Impact Reports – Director Vander Linden requested to keep this agenda item under review.

Item #29 – Bet Restriction by Operator – Director Band confirmed that Interim Sports Wagering Operations Manager and Casino Regulatory Manager Andrew Steffen is currently working on this and it should be ready for a date soon.

Item #30 – Diversity Audit – Commissioner Skinner and Interim Executive Director and General Counsel Grossman requested to include this agenda item in the Administrative Update during the October 2, 2023 meeting.

Item #31 – Licensing Management System RFI Update – Chief of the Licensing Division Karalyn O’Brien requested to keep this agenda item under review.

Item #32 – Race Horse Development Fund Benefits for Drivers and Jockeys (Continued Discussion) – Director Lightbown requested to keep this agenda item under review.

Item #33 – Mission Statement Working Group Report – Commissioner O’Brien requested to keep this agenda item under review.

Item #34 – Recommendation Letter to Legislature – Commissioner Hill requested to keep this agenda item under review.

Item #35 – MGC Internship Program – Commissioner Maynard requested to keep this agenda item under review.

Add-On Item – Player Risk Identification RFI – Director Vander Linden requested time during a future meeting to provide a summary of RFI responses received for player risk identification.

Add-On Item – Update on MGM and Caesars Cybersecurity Issues – Chair Judd-Stein proposed a future agenda item and anticipated executive session on updates regarding the cybersecurity issues at MGM and Caesars. Interim Executive Director and General Counsel Grossman noted he anticipates a written report from Caesars.

Having no further business, Commissioner O’Brien moved to adjourn. Commissioner Hill 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 27, 2023
2. Agenda Setting Meeting Minutes, dated September 13, 2023

FUTURE SCHEDULED MEETING DATES:

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 (Public)