

Massachusetts Gaming Commission Meeting Minutes

Date/Time: September 30, 2025, 10:00 a.m.

Place: Massachusetts Gaming Commission

VIA CONFERENCE CALL NUMBER: 1-646-741-5292 PARTICIPANT CODE: 111 147 3778

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:

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

1. Call to Order (00:00)

Chair Maynard called to order the 566th Public Meeting of the Massachusetts Gaming Commission ("Commission"). Roll call attendance was conducted, and all five Commissioners were present for the meeting.

Chair Maynard briefly introduced the discussion on the topic of sports wagering player limitations.

2. Sports Wagering Division (02:32)

a. Discussion Regarding Results of Data Analysis Related to Player Limitations (02:39)

Sports Wagering Division Chief Carrie Torrisi introduced the results of data analysis related to player limitations. *A memorandum on the data analysis results is found on pages 3 through 17 of the Commissioners' Packet*. She stated that the Sports Wagering Division requested data on the stake factor and closing line value of registered players from the Massachusetts Sports Wagering Operators. She stated that the results of the data analysis confirmed that there was a correlation between a player's stake factor and closing line value, showing that players who demonstrated a

tendency to win had their limit decreased and players who demonstrated a tendency to lose had their limit increased.

b. <u>Discussion Regarding Player Limitations Generally and Player Limitations</u> Specifically Among Massachusetts Operators (08:42)

Commission Consultant Dustin Gouker of Closing Line Consulting gave a presentation on player limiting, with topics including the following: limitation reasons, examples of reduced player limitations, possible Sports Wagering Operators' responses to increased regulation, and possible policy options to be considered by the Commission. *The presentation is found on pages 18 through 23 of the Commissioners' Packet*.

Commissioner Brodeur asked if any limited bettor in the Commonwealth attempted to litigate the fact that they were limited based on deceptive advertising. Mr. Gouker stated that he was not aware of any such litigation in Massachusetts. Mr. Gouker recommended a proactive approach to notifying customers that they were being limited and informing them on the reasons for their limitation. Commissioner Brodeur agreed with the need for increased transparency. He stated his concern with the prediction markets' limited regulation under federal jurisdiction.

Commissioner O'Brien stated the Commission was deliberate in drafting regulations to ensure that consumer protections which existed prior to implementation of the Expanded Gaming Act continued to exist for consumers. She asked what the solution to the issue was when considering the existing regulations and the Commission's jurisdiction. She further asked if Mr. Gouker looked into the Australian approach which required proportional limitations in racing that required operators to keep consistent minimum and maximum wager limits. Mr. Gouker stated that the mentioned approach would not solve the issue as the Operators would react and possibly make the product worse for the recreational sports bettors. Mr. Gouker mentioned an example of player limitations applied in casinos to card-counting players and stated that most of the players limited in casinos were notified of the reasons for their limitation.

i. Executive Session (44:13)

Chair Maynard read the following language into the record: "The Commission anticipates that it will meet in executive session in accordance with G.L. c. 30A, § 21(a)(7), G.L. c. 4, § 7(26)(g), and G.L. c. 23N, § 6(i) to discuss trade secrets or commercial information related to player limitations voluntarily provided to the Commission by Operators for use in developing governmental policy and upon a promise of confidentiality and further which would be detrimental to the Operators if disclosed."

Commissioner Brodeur moved that the Commission enter into executive session for the reasons stated on the record by the Chair. Commissioner O'Brien seconded the motion.

Roll call vote:

Commissioner O'Brien: Aye. Commissioner Hill: Aye. Commissioner Skinner: Aye. Commissioner Brodeur: Aye. Chair Maynard: Aye.

The motion passed unanimously, 5-0.

Transcriber's note: The Commission entered executive session upon their vote at $\underline{45:16}$ and reconvened the public meeting at 1:08:05.

c. <u>Discussion Regarding Possible Next Steps Related to Player Limitations</u> (1:08:43)

Commissioner Hill stated that he wanted the staff to return to the Commission with draft language for a regulation which would address players being notified when they are limited and the reasons for the limitation. Commissioner O'Brien agreed and suggested looking into the advertising regulations and reviewing what representations are made by operators that this is entertainment vs. a way to make money. She further stated that she wanted to see more information from the Operators about their review processes on this topic. Commissioner Skinner agreed with Commissioner Hill and Commissioner O'Brien and added that she wanted to give the Operators the ability to respond to the Commission's findings. Commissioner Brodeur stated his agreement with the Commissioners. Upon inquiry from Commissioner Brodeur, Chief Torrisi confirmed that the Sports Wagering Division was ready to begin drafting a regulation on player limitation notification as well as to get more information from Operators on how decisions are made and feedback from the Operators on the Commission's findings. Chair Maynard stated his consensus with the Commissioners, noting that it was about fairness to the customers.

3. Other Business (1:16:10)

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

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

Roll call vote:

Commissioner O'Brien: Aye.
Commissioner Hill: Aye.
Commissioner Skinner: Aye.
Commissioner Brodeur: Aye.
Chair Maynard: Aye.

The motion passed unanimously, 5-0.

List of Documents and Other Items Used

- 1. Notice of Meeting and Agenda dated September 26, 2025
- 2. <u>Commissioners' Packet</u> from the September 30, 2025, meeting (posted on massgaming.com)