



**Massachusetts Gaming Commission
Agenda Setting
Meeting Minutes**

Date/Time: September 7, 2022 – 10:00 a.m. EST

Place: Massachusetts Gaming Commission
VIA CONFERENCE CALL NUMBER: 1-646-741-5292
MEETING ID/ PARTICIPANT CODE: 111 634 2454

Call to Order

Chair Judd-Stein called to order Agenda Setting Meeting #129 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 Bradford R. Hill
Commissioner Eileen O’Brien
Commissioner Nakisha Skinner
Commissioner Jordan Maynard*

Approval of Prior Agenda Setting Meeting Minutes

Commissioner Hill clarified that there were no minutes to approve at today’s meeting.

Agenda Planning for Upcoming Commission Meetings

The Commission discussed the anticipated agendas for the upcoming meetings scheduled for September 8th, September 12th, September 15th, and September 13th and subsequent meetings described in the attached agenda planning notice, as follows:

Items For Future Public Meetings – All Meetings

Item #1 – Administrative Update – Executive Director Wells confirmed that there would be no administrative update for the meeting on September 8th, given the size of the agenda and matters being discussed.

Item #2 – Meeting Minutes – General Counsel Grossman confirmed that they will continue to provide minutes for approval to Secretary Hill and coordinate with Ms. Beauchemin for their dissemination and placement into the meeting packets.

Item #3 – Regulations – General Counsel Grossman confirmed the Legal Division will be bringing forward two regulations at the September 8th meeting: House Rules for Sports Wagering Operators; and Independent Test Lab Certifications.

Item #4 – Legislative Updates – Commissioner Hill confirmed that no legislative update would be given at the September 8th meeting.

Items For Public Meeting – September 8, 2022 (9:30AM – 11:30AM)

Item #5 – Budget and Position Approval for Sports Wagering – Executive Director wells confirmed that this matter will include a budget presentation, inclusive of the Chief of Sports Wagering position. She clarified that while the Commission had already approved the fiscal 2023 budget, the staff has identified a need for additional positions. She will be seeking approval for the Commission to increase the number of Full Time Employees (FTE), with a corresponding cost that would also increase the overall fiscal 2023 budget for the Commission.

Item #6 – Sports Wagering Regulation and Implementation Discussion– Executive Director Wells briefed Commissioners on the planned agenda for the September 8th meeting, including the regulatory structure and schedule, as well as a discussion regarding the promulgation of regulations by emergency filing. Two draft regulations mentioned by General Counsel Grossman will be discussed. The Finance division will be sharing the budget for approval by the Commissioners. The IEB will provide a presentation regarding the hiring needs of the Bureau and will also be seeking approval to hire sports wagering employees. Executive Director Wells stated that she will also be leading a preliminary discussion on the selection of licensees, and the application process for Sports Wagering Operators in the Commonwealth, as well as suggestions for licensing criteria for the Commissioners to consider. Finally, the Division of Research and Responsible gaming will provide an update on sports wagering with a research update as well.

Items For Public Meeting – September 8, 2022 (1:00PM – 4:00PM)

After some discussion amongst Commissioners and Executive Director Wells, and reflecting on the scale of the morning meeting, Commissioners agreed it would best to cancel the afternoon meeting taking place on September 8th, and re-schedule the agenda items for meetings later in the month.

Item #7 – Responsible Gaming – Ad Hoc Sports Wagering Paper – Director Vander Linden will provide a brief update in on this item at the Responsible Gaming Sports Wagering Roundtable being held on September 13th.

Item #8 – Quarterly Licensee Reports – Chief Delaney requested that these items go forward with a presentation from licensee, MGM Resorts on September 15th, or the 19th.

Item #9 – Racing –Standard Owners of Massachusetts (SOM) Recognition Request as Breeders’ Representative Group– this item was moved from the afternoon meeting on September 8th to September 12th, 2022.

Item #10 – Community Mitigation Fund 2022 Boston’s Police Grant Reallocation – Chief Delaney requested that this item go forward at the September 15th meeting, given the timing requirements and needs of the Boston Police Department.

Items For Public Meeting – September 12, 2022 (9:30AM)

Item #11 – Review of Revisions to Application for License to Hold or Conduct a Racing Meeting for Future Applicants – General Counsel Grossman confirmed that an updated version of the application will be placed into the meeting packet and will be ready for review by the Commissioners on the 12th. He confirmed that the deadline for new applicants is October 1st.

Add-on Item – Racing –Standard Owners of Massachusetts (SOM) Recognition Request as Breeders’ Representative Group– Ms. Beauchemin confirmed that this item would be moved to the meeting on September 12, 2022.

Add-on Item – Executive Session – An executive session to discuss litigation strategy, and approve minutes from previous executive sessions will be held at the close of the public meeting on September 12, 2022. The public portion of the meeting will not reconvene after Commissioners enter the executive session.

Items For Public Meeting – September 13, 2022 (1:00PM – 4:00PM)

Item # 12 – Sports Wagering Roundtable: Responsible Gaming and Advertising – Director of Research and Responsible Gaming, Mark Vander Linden confirmed that approximately 5 to 6 individual stakeholders within the Responsible Gaming industry will offer comments on sports wagering, and answer questions from the Commissioners on three to four topics. He confirmed that the Commissioners would be provided with the Gaming Advertising White Paper and additional materials in advance of the meeting. Director Vander Linden estimated that the discussion will take approximately three hours with short breaks, and a longer break for lunch.

Items For Public Meeting – September 15, 2022 (10:00AM – 2:30PM)

Item #13 – Community Mitigation Fund Draft Policy Questions – Chief Delaney requested an agenda item to discuss the policy questions from the Community Mitigation Fund in September to remain on schedule with their timeline.

Item #14 – Sports Wagering Preparation Update– Executive Director Wells requested that this agenda item be utilized for a lengthier discussion of the Temporary licensure framework for Sports

Wagering, depending on the availability of the Commissioners. Commissioners ultimately agreed to re-schedule this item to September 15th, with presentations from the Legal Department and discussion led by the Executive Director.

Items For Public Meeting – September 19, 2022 (10:00AM – 2:30PM)

Item # 15 – Sports Wagering Roundtable: Mobile Licenses – Chair Judd-Stein inquired whether this agenda item could benefit from more preparation prior to the roundtable discussion occurring. Commissioners and Executive Director Wells discussed tentative dates throughout September, and whether the meeting could be held in person, live or via a hybrid format, before confirming that this item would be tentatively scheduled for September 22nd.

Add-on Item – Community Mitigation Fund Draft Policy Questions – this item, listed above as item #13, will be moved from September 15th to the meeting on September 19th.

Add-on Item – Legal Division – Regulations – Deputy General Counsel Torrissi requested an agenda item to present final drafts and amended small business impact statements for: 205 CMR 102; 205 CMR 103; 205 CMR 115.04; all of which will require final vote. Deputy General Counsel Torrissi will also present two policies relating to the finalization of the regulations on either September 19th or the 22nd; depending on scheduling.

Items For Public Meeting – September 22, 2022 (9:00AM – 2:00PM)

Add-on Item – Sports Wagering Roundtable: Mobile Licenses – as stated above, this date is being tentatively held for the Roundtable for Sports Wagering Mobile Licenses.

Items For Public Meeting – October 13, 2022 (1:00PM – 4:00PM)

Item #16 – MGC Officer Succession Planning – Commissioner O’Brien requested an agenda item to discuss succession planning for MGC Officers at the October 13th public meeting.

Item #17 – Community Mitigation Subcommittee Renewal and Commission Representative – Chief Delaney requested an agenda item to introduce the members of the Community Mitigation Local Advisory Committees, and Subcommittees on Community Mitigation. A Commission representative will also be selected at this meeting.

Item #18 – Sports Wagering Preparation Update – Executive Director Wells confirmed that this item will be utilized to discuss standing sports wagering matters at future public meetings.

Items Under Review for Future Meetings:

Item # 19 – Responsible Gaming – Commissioner Research Priorities – Director Vander Linden requested that this item remain under review.

Item #20 – Public Records Request Policy and IT – Executive Director Wells requested a bit more time before this matter go forward in front of the Commission, as the Legal Department and the IT Division are still researching the technical component of this presentation. Chief Information Officer Jagroop-Gomes requested that this matter be added under review until they gather more information.

Item # 21– ILEV Review Process – Chief Delaney requested that this matter remain under review until later this fall.

Item # 22 – Realty Income Trust– Chief Enforcement Counsel Hall and General Grossman stated that the matter would be ready for initial review before the Commission in early October. General Counsel Grossman confirmed that this matter would be a preliminary discussion and not the final authorization by the Commission. He also clarified that the preliminary discussion of this agenda item would not need to take place within an adjudicatory hearing. *This item was tentatively scheduled for October 13th.*

Item #23 – Community Mitigation Fund Guidelines– Chief Delaney requested an agenda item for the presentation of the guidelines developed by the Community Mitigation team on October 27th. He confirmed that a presentation of the final guidelines to the Commission would take place in November.

Item #24– MGC Compliance Committee – Commissioner O’Brien requested this item remain under review but would be placed on an agenda to discuss the establishment of the MGC Compliance Committee in the future.

Item # 25 – Office Lease Expiry Update – Executive Director Wells asked that this agenda item remain under until after the Sports Wagering budget discussion and hiring needs of specific divisions were discussed further.

Commissioner Updates – (none)

Having no further business, Commissioner O’Brien moved to adjourn. Commissioner Hill seconded.

Roll Call Vote:

<i>Commissioner Hill:</i>	<i>Aye.</i>
<i>Commissioner O’Brien</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. Massachusetts Gaming Commission, Notice of Meeting & Agenda, dated August 31, 2022

FUTURE SCHEDULED MEETING DATES:

September 12– Executive Session
September 21 – Agenda Setting
September 22 – Public Meeting (TBD)
October 5 – Public Meeting (TBD)
October 19 – Public Meeting
October 27– Public Meeting