



NOTICE OF MEETING AND AGENDA

Revised

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, and Chapter 107 of the Session Acts of 2022, notice is hereby given of a public meeting of the **Massachusetts Gaming Commission**. The meeting will take place:

Thursday | October 13, 2022 | 10:00 a.m.

VIA REMOTE ACCESS: 1-646-741-5292

MEETING ID/ PARTICIPANT CODE: 111 706 4284

Please note that the Commission will conduct this public meeting remotely utilizing collaboration technology. Use of this technology is intended to ensure an adequate, alternative means of public access to the Commission's deliberations for any interested member of the public. If there is any technical problem with the Commission's remote connection, an alternative conference line will be noticed immediately on www.massgaming.com.

All documents and presentations related to this agenda will be available for your review on the morning of the meeting date by visiting our website and clicking on the News header, under the Meeting Archives drop-down.

PUBLIC MEETING - #397

1. Call to Order

2. Approval of the Meeting Minutes

a. April 14, 2022

VOTE

3. Research and Responsible Gaming- Mark Vander Linden, Director

a. Massachusetts Council on Gaming and Health GameSense Q1 Report- Long Banh, Program Manager; Marlene Warner, Executive Director of Massachusetts Council on Gaming and Health; Ken Averill, GameSense Senior Advisor; Winnie Li, GameSense Advisor

4. Investigations and Enforcement Bureau – Loretta Lillios

a. EBH/Realty Income REIT Transaction – Description of Transaction, Trust, & Institutional Investor Issue – **VOTE**
Heather Hall, IEB Chief Enforcement Counsel; Todd Grossman, General Counsel; Jed M. Nosal, Womble Bond Dickinson (US) LLP, Counsel for the Petitioners; Sumit Roy, Chief Executive Officer, President, Realty Income Corporation; Michelle Bushore, Executive Vice President, Chief Legal Officer, General Counsel and Secretary, Realty Income Corporation;



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Shannon Jensen, Senior Vice President, Associate General Counsel, Realty Income Corporation; Jacqui Krum, Senior Vice President and General Counsel, Encore Boston Harbor; Brian Murphy, Associate General Counsel, Vanguard; Ali Bartlett, Partner, Bose, McKinney & Evans LLP; Philip Sicuso, Partner, Bose, McKinney & Evans LLP

5. Racing Division- Alex Lightbown, Director and Chief Veterinarian
 - a. Plainridge Request for Promotional Fund Reimbursement for the Summer Handicapping Series – Steve O’Toole, Plainridge Park Casino **VOTE**
 - b. Plainridge Requests for Promotional Fund Consideration - Steve O’Toole, Plainridge Park Casino
 - i. Penultimate Handicapping Contest **VOTE**
 - ii. Survivor Handicapping Contest **VOTE**
 - c. Plainridge Request for Capital Improvement Funds Considerations - Steve O’Toole, Plainridge Park Casino
 - i. Capital Improvement Fund Consideration for Tractor **VOTE**
 - ii. Capital Improvement Fund Consideration for Tote Board **VOTE**
 - d. Quarterly Aid Local Payment **VOTE**

6. Legal Division- Todd Grossman, General Counsel
 - a. 205 CMR 138.02 - Licensee's System of Internal Controls and Amended Small Business Impact Statement for approval to finalize the promulgation process – Judith Young, Associate General Counsel **VOTE**
 - b. 205 CMR 138.05 - System for Ensuring Employees Are Properly Licensed or Registered and Amended Small Business Impact Statement for approval to finalize the promulgation process **VOTE**
 - c. 205 CMR 138.07 – Floor Plans - and Amended Small Business Impact Statement for approval to finalize the promulgation process – Judith Young, Associate General Counsel **VOTE**
 - d. 205 CMR 138.62 - Payment of Table Game Progressive Payout Wagers; Supplemental Wagers Not Paid from the Table Inventory - and Amended Small Business Impact Statement for approval to finalize the promulgation process – Judith Young, Associate General Counsel **VOTE**

7. Finance Divisions- Derek Lennon, Chief Financial Officer
 - a. FY22 Budget Close-Out

8. Sports Wagering Process Updates- Karen Wells, Executive Director
 - a. Review of Public Comments regarding Sports Wagering Application
 - b. Update on Contractual Services for Sports Wagering Implementation



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- c. Finance- Daily Fantasy Sports Registration and Tax Filing Forms **VOTE**
- d. Divisional Updates
 - I. Investigations and Enforcement Bureau
 - II. Legal
 - III. IT

9. Preliminary Discussion of Licensing Evaluation Process – Chair Judd-Stein; Commissioners O’ Brien, Hill, Skinner and Maynard ; Todd Grossman, General Counsel; Derek Lennon, Chief Financial Officer

10. Commissioner Updates

11. Other Business - Reserved for matters the Chair did not reasonably anticipate at the time of posting.

I certify that this Notice was posted as “Massachusetts Gaming Commission Meeting” at www.massgaming.com and emailed to regs@sec.state.ma.us. Posted to Website: October 11, 2022 | 9:45 a.m. **Reposted: 11:00 a.m.**

October 11, 2022



Cathy Judd-Stein, Chair

*This meeting is open to all interested individuals for viewing.
If there are any questions pertaining to accessibility and/or further assistance is needed, please email
crystal.beauchemin@massgaming.gov.*



Massachusetts Gaming Commission