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NOTICE OF MEETING AND AGENDA

Pursuant to the Massachusetts Open Meeting Law (G.L. c. 30A, §§ 18-25), St. 2022, c. 107, and St. 2023, c. 2, notice is hereby given of a public meeting of the **Massachusetts Gaming Commission**. The meeting will take place:

Thursday | February 15, 2024 | 9:30 a.m.
VIA REMOTE ACCESS: 1-646-741-5292
MEETING ID/ PARTICIPANT CODE: 112 731 9013
All meetings are streamed live at www.massgaming.com.

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 - #501

1. Call to Order – Cathy Judd-Stein, Chair
2. Meeting Minutes – Commissioner Jordan Maynard, Judith Young, Associate General Counsel
 - a. May 8, 2023 **VOTE**
 - b. May 10, 2023 **VOTE**
 - c. May 16, 2023 **VOTE**
3. Administrative Update – Todd Grossman, Interim Executive Director & General Counsel
4. Communications Division – Thomas Mills, Communications Division Chief, David Souza, Digital Communications Coordinator
 - a. Discussion and Review of Draft Annual Report FY24 **VOTE**
5. Research and Responsible Gaming Division – Mark Vander Linden, Director of Research and Responsible Gaming
 - a. GameSense Quarterly Report – Long Banh, Project Manager; Massachusetts Council on Gaming & Health: Chelsea Turner, Chief Operations Officer, Odessa Dwarika, Chief Programs Officer, Jolyn Barreuther, GameSense Manager, LouLouse Lovaincy, GameSense Advisor



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6. Legal – Todd Grossman, Interim Executive Director & General Counsel, Carrie Torrissi, Deputy General Counsel
 - a. 205 CMR 257: Sports Wagering Data Privacy– Discussion and Review of the Amended Regulation and Small Business Impact Statement for authorization to begin the promulgation process. **VOTE**
 - b. 205 CMR 256.04: Sports Wagering Advertising - Discussion and Review of Proposed Amendments and Small Business Impact Statement for authorization to begin the promulgation process. **VOTE**
 - c. Discussion of provisions of 205 CMR 238 and 205 CMR 247 regarding line-moving safeguards

7. IEB – Caitlin Monahan, Interim IEB Director
 - a. Briefing of noncompliance matter related to Category 3 Sports Wagering Licensee BetMGM and discussion regarding next steps. Alleged noncompliance relates to wagers on unauthorized events in violation of G. L. c. 23N, section 3 and 205 CMR 247.01(2)(e) – Nate Kennedy, Enforcement Counsel
 - b. Briefing on noncompliance matter related to Category 1 Sports Wagering Licensee MGM Springfield and discussion regarding next steps. Alleged noncompliance relates to wagers on an unauthorized event in violation of G. L. c. 23N, section 3 and 205 CMR 247.01(2)(a)(2) – Diandra Franks, Enforcement Counsel
 - c. Briefing on noncompliance matter related to Category 3 Sports Wagering Licensee BetMGM and discussion regarding next steps. Alleged noncompliance relates to wagers on events after results were known in violation of 205 CMR 247.01(2)(h) – Diandra Franks, Enforcement Counsel
 - d. Briefing on noncompliance matters related to Category 3 Sports Wagering Licensee BetMGM and discussion regarding next steps. Alleged noncompliance relates to wagers on events after results were known in violation of 205 CMR 247.01(2)(h) – Zac Mercer, Enforcement Counsel

8. Community Affairs Division – Joe Delaney, Community Affairs Division Chief
 - a. Plainridge Park Casino Quarterly Report and ILEV Update – North Grounsell, General Manager, Heidi Yates-Akbaba, Vice President of Finance, Kathy Lucas, Vice President of Human Resources
 - i. Executive Session

The Commission anticipates that it will meet in executive session in accordance with G.L. c.30A, §21(a)(7) to comply with G.L. c.23K, §21(a)(7) for the specific purpose of reviewing the proposed multi-year capital expenditure plan [described in 205 CMR 139.09], and any corresponding materials, submitted relative to Plainridge Park Casino, as discussion of this matter in public would frustrate the purpose of the statute and associated legal authorities where the capital expenditure plan at issue is covered by a nondisclosure agreement between the Massachusetts Gaming Commission and Plainridge Park Casino. The public session of the Commission meeting will reconvene at the conclusion of the executive session. **VOTE**



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- b. Encore Boston Harbor Quarterly Report and ILEV Update – Jacqui Krum, Senior Vice President and General Counsel, Juliana Catanzariti, Executive Director, Legal, Tom Coffey, Executive Director of Security and Investigations

i. Executive Session

The Commission anticipates that it will meet in executive session in accordance with G.L. c.30A, §21(a)(7) to comply with G.L. c.23K, §21(a)(7) for the specific purpose of reviewing the proposed multi-year capital expenditure plan [described in 205 CMR 139.09], and any corresponding materials, submitted relative to Encore Boston Harbor, as discussion of this matter in public would frustrate the purpose of the statute and associated legal authorities where the capital expenditure plan at issue is covered by a nondisclosure agreement between the Massachusetts Gaming Commission and Encore Boston Harbor. The public session of the Commission meeting will reconvene at the conclusion of the executive session.

VOTE

9. Legal – Todd Grossman, Interim Executive Director & General Counsel

- a. Discussion and Possible Adoption of Inter-Service Agreement with the Office of the Attorney General for Certain Enforcement and Investigatory Matters Related to Sports Wagering – Todd Grossman, Interim Executive Director & General Counsel, Caitlin Monahan, IEB Director, Derek Lennon, Chief Financial and Accounting Officer, Patrick Moore, First Assistant Attorney General **VOTE**
- b. AGO Report and Update: Regulation of Daily Fantasy Sports and Illegal Sports Wagering Market – Patrick Moore, First Assistant Attorney General; Kathleen Celio, Chief of Gaming Enforcement Division; and Alda Chan, Assistant Attorney General **VOTE**

(i) Executive Session

The Commission anticipates that it will meet in executive session in accordance with G.L. c. 30A, § 21(a)(3) to discuss with the Attorney General's Office strategy with respect to enforcement or litigation concerning the illegal sports wagering market. The public session of the Commission meeting will reconvene at the conclusion of the executive session.

VOTE

- c. Discussion by Commission as to whether to Request that the Attorney General Bring an Action to Enforce Chapter 23N or any Rule or Regulation of the Commission by Civil Action or Petition for Injunctive Relief Relative to the Offering of Impermissible Sports Wagers. **VOTE**

10. IEB – Caitlin Monahan, IEB Director; Detective Lieutenant Michael Leo, GEU

- a. Security at the Casino Facilities **VOTE**

(i) Executive Session

The Commission anticipates that it will meet in executive session in accordance with G.L. c.30A, §21(a)(4), to discuss the use and deployment of security personnel or devices, or strategies with respect thereto at Encore Boston Harbor, MGM Springfield and Plainridge Park Casino, specifically



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with regard to firearms (all properties) and parking garage security (MGM Springfield). The public session of the Commission meeting will not reconvene at the conclusion of the executive session.

VOTE

11. Commissioners Update

12. 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: February 12, 2024 | 9:30 a.m. EST.

February 12, 2024

Cathy Judd-Stein

Cathy Judd-Stein, Chair

If there are any questions pertaining to accessibility and/or further assistance is needed, please email Gertrude.Lartey@massgaming.gov.

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