



## Meeting Minutes

**Date:** April 18, 2013

**Time:** 1:25 p.m.

**Place:** Pathfinder Regional Vocational Technical High School  
240 Sykes Street  
Palmer, Massachusetts

**Present:** Commissioner Stephen P. Crosby, Chairman  
Commissioner Gayle Cameron (present via telephone)  
Commissioner James F. McHugh  
Commissioner Bruce Stebbins  
Commissioner Enrique Zuniga

**Absent:** None

### Call to Order:

Chairman Crosby opened the 64<sup>th</sup> public meeting.

The Chairman asked for a moment of silence for the people killed and injured at the Boston Marathon last Monday.

### Approval of Minutes:

See transcript pages 5-7.

*Motion made by Commissioner McHugh that the minutes of March 28, 2013 be approved as submitted. Motion seconded by Commissioner Stebbins. The motion passed unanimously.*

### Administration:

See transcript pages 7-16.

There have been no changes to the master schedule. The Commission is still concerned about giving enough time to surrounding communities to analyze the impacts caused by gaming, and will discuss this issue in more detail at the next Commission meeting.

The Commission discussed condensing the minutes because the prior versions were very time consuming to prepare and were overly duplicative of the transcript. The legal staff will take over

drafting the minutes and revising the format. The new format for the minutes will begin with the April 11 minutes.

*Nomination made by Commissioner McHugh to nominate Commissioner Zuniga to continue serving as Treasurer. Nomination seconded by Commissioner Stebbins. Nomination passed unanimously.*

*Nomination made by Commissioner Zuniga to nominate Commissioner McHugh to continue serving as Secretary and nominate General Counsel Blue to start as Assistant Secretary. Nomination seconded by Commissioner Stebbins. Nomination passed unanimously.*

**Workforce Development:**

See transcript pages 16-38.

William Messner, President of Holyoke Community College, Jeffrey Hayden, of the Holyoke Community College, and Robert LePage, of the Springfield Technical Community College, presented to the Commission relative to the status of the workforce development efforts aimed at training the local workforce in preparation for the opening of gaming facilities.

The Commission expressed that Mr. Messner, Mr. Hayden, and Mr. LePage have been doing an excellent job so far. The Commission anticipates hiring a Director of Workforce Development within the next several weeks, and this individual will represent the Commission on these matters. The Commission would like to create a document that lays out the current status and the role that the Commission will play in the workforce development to assist the incoming Director of Workforce Development.

**Public Education and Information:**

Report by Ombudsman Ziemba. See transcript pages 38-62.

Ombudsman Ziemba is continuing to work on the timeline for surrounding communities. Mohegan Sun and Palmer are both on board with the RPA process. Nine of the eleven applicants have already agreed to use or consider using the RPA process.

The Commission reviewed the comments received regarding whether a host community can hold a referendum prior to suitability determinations. The Commission is considering issuing an emergency regulation to allow a referendum prior to suitability. The Commission's current policy does not allow a referendum before a suitability determination but since it is only a policy, without being in regulation form, it has no force of law.

The emergency regulation provides that a community cannot hold a referendum prior to a determination of suitability, provided, however that a referendum can be held prior to a suitability determination if the community decides that moving forward is in the best interest of its citizens, provides notice of to the voters that the referendum is being held prior to a determination of suitability, and files a copy of that notice with the Commission. Commissioner McHugh recommended making one technical adjustment to the language of the emergency regulation.

*Motion made by Commissioner McHugh that the Commission promulgate the emergency regulation in the form presented to the Commission, but with the insertion of the words "prior to the election" at the beginning of subparagraph (B). Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

**Region C:**

See transcript pages 63-106.

Cedric Cromwell, Chair of the Mashpee Wampanoag Indian Tribe, presented to the Commission his opinion on the status of Region C. Chairman Cromwell was joined by Tribal representatives Secretary Stone, Treasurer Hendricks, Councilman Foster, and Councilwoman Trish Keliinui.

The Commission reviewed public comment and discussed in great detail the question of whether to open Region C to commercial applicants. The Commission discussed the process by which it might address a situation where there were one or more commercial applicants and a proposed tribal casino.

If the Commission decides to begin the RFA process in Region C, the Region C process would mirror the process taking place in Regions A and B but contain different deadlines. The Tribal process would be unaffected by the commercial process. The Commission will make a final determination on which applicant in Region C, if any, should receive a license using the same criteria as for Regions A and B. The Commission will also consider the status of the Tribal State and Federal land in trust process, the status of regional and statewide gaming, other economic conditions then existing and then forecast, and other relevant considerations. The Region C licensing decision would most likely occur at the end of 2014.

If the Commission decides against opening Region C to commercial applications, then the Commission would close Region C to commercial applications until the Tribal State and Federal process is completed with a favorable or unfavorable decision, or until the Commission concludes that all necessary favorable decisions will not be forthcoming.

*Motion made by Commissioner McHugh that the Commission open Region C to commercial RFAs with the Commission deciding whether to issue a commercial license to an applicant after taking into account economic and other circumstances as they exist at the time of the licensing decision in light of the statutory objectives that govern expanded gaming in the Commonwealth and the discretion with which the expanded gaming statute clothes the Commission. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

Meeting adjourned.

**List of Documents and Other Items Used at the Meeting**

1. Massachusetts Gaming Commission April 18, 2013 Notice of Meeting and Agenda
2. Massachusetts Gaming Commission March 28, 2013 Meeting Minutes
3. Written Responses Regarding Host Community Referendum Emergency Regulation
4. Massachusetts Gaming Commission State and Tribal Licensing Processes in Region C: Safeguarding Rights and Options

5. Written Responses Regarding Region C Options

/s/ Catherine Blue  
Catherine Blue

Assistant Secretary