



The Commonwealth of Massachusetts

Massachusetts Gaming Commission

NOTICE OF MEETING and AGENDA

February 7, 2013 Meeting

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

Thursday, February 7, 2013

1:00 p.m.

Division of Insurance

1000 Washington Street

1st Floor, Meeting Room 1-E

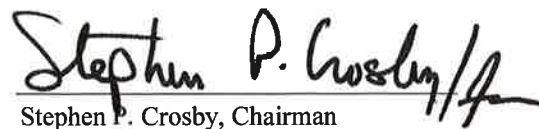
Boston, Massachusetts

PUBLIC MEETING - #51

1. Call to order
2. Approval of Minutes
 - a. January 17, 2013 Meeting
 - b. January 24, 2013 Meeting
 - c. January 31, 2013 Meeting
3. Administration
 - a. Master schedule
 - b. Interview with Executive Director Candidate
 - i. Vote
4. Public Education and Information
 - a. Report from Ombudsman
5. Regulation Update
 - a. Policy questions update
6. IEB Report
 - a. Scope of licensing
 - b. Investigations status report
 - c. Processing of public record requests for applications and review of requests for confidentiality
 - d. License category declaration requirement
7. Racing
 - a. Administrative Update
8. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting

I certify that on this date, this Notice was posted as "Gaming Commission Meeting" at www.mass.gov/gaming/meetings, and emailed to: regs@sec.state.ma.us, melissa.andrade@state.ma.us, brian.gosselin@state.ma.us.

2/5/2013
(date)


Stephen P. Crosby, Chairman

Date Posted to Website: February 5, 2013 at 1:00 p.m.

The Commonwealth of Massachusetts
Massachusetts Gaming Commission

Meeting Minutes

Date: January 17, 2013

Time: 1:00 p.m.

Place: Division of Insurance
1000 Washington Street
1st Floor, Meeting Room 1-E
Boston, Massachusetts

Present: Commissioner Stephen P. Crosby, Chairman
Commissioner Gayle Cameron
Commissioner James F. McHugh
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

Absent: None

Call to Order:

Chairman Crosby opened the 46th public meeting.

Approval of Minutes:

See transcript pages 2-3.

Commissioner McHugh stated that the Commission has distributed the minutes for the January 10 meeting to all the Commissioners. He reviewed one change that Director Durenberger recommended.

*Motion made by Commissioner McHugh to accept the minutes of January 10, 2013 as amended.
Motion seconded by Commissioner Stebbins. The motion passed unanimously by a 5-0-0 vote.*

Administration:

See transcript pages 3-4.

Master Schedule – Chairman Crosby reviewed the Master Schedule. He stated that the Commission is working on condensing the timeframe for background checks and RFA-1 regulations in an effort to move this process along as quickly as possible. He stated that he and Commissioner Zuniga are working on a draft job description for a Director of Research and Compulsive Gambling.

Application Process:

See transcript pages 4-28.

Chairman Crosby stated that the Commission has been working for the past nine months to create a competitive environment for license applications in regions A and B and for slots licenses. He stated that now that the Commission has accomplished this goal, the Commission will turn its focus toward determining what criteria to use for making decisions. Commissioner McHugh is working on drafting these criteria and procedures for evaluating applicants.

Chairman Crosby provided the Commissioners with a document asking them to start thinking about criteria beyond those articulated in the legislation. He emphasized that the Commission wants to do everything possible to ensure that the casinos are truly destination resorts that are attractive to people from other states and other countries. He stated that the Commission needs to influence the developers to design features and strategies that will help to attract outsiders and create synergy with other major travel and tourism institutions in the area. Developers may also want to look for synergies with other key industries that can be combined with a destination resort casino to attract larger than expected numbers of gamblers and tourists from out of state and out of the country. He stated that the Commission is encouraging casino developers to add amenities that will enhance the broader tourism goals of the Commonwealth.

Commissioner McHugh stated that putting such a strong emphasis on tourism is critical and the gaming statute is clearly designed to create destination resorts, with the goal of bringing out of state dollars into Massachusetts. Commissioner Zuniga agreed and emphasized that we should foster creativity by developers in differentiating their product. Commissioner Stebbins stated that the Commission could encourage applicants to focus on building relationships with the local regional tourism boards and visitors bureaus. He recommended that the Commission provide recommendations on how to wisely spend the tourism funds to improve tourism and create a robust gaming industry.

Commissioner Cameron referenced the resorts in Singapore and New Jersey that utilize architecture and amenities to attract people from around the world. Commissioner McHugh asked if Singapore required architecturally stunning proposals or if they were a product of the application. Commissioner Cameron stated that the authorities made architecture a requirement on which they would judge the proposals. Commissioner McHugh stated that the Commission should work on the evaluation criteria, put together a team to help evaluate the responses, and conduct a public discussion session. Commissioner Zuniga stated that the Commission should come up with a relative weight for the evaluation criteria and a scoring mechanism. Commissioner Cameron cited the example of Las Vegas, where the developer built beautiful golf courses that encouraged golfers to visit, play golf, and do a little gambling during their trip. She stated that the Commission needs to consider what amenities will have a similar effect in attracting people from around the country or around the world.

Commissioner Stebbins recommended that the Commission have a conversation with MOTT and MassPort, who are working on drawing in international visitors by encouraging direct flights and other ideas. Chairman Crosby stated that the Commission is walking a fine line as it wants to push

for economic development but not to the point that the business model is damaged. He stated that the Commission wants the casino licensees to have a healthy return on investment so that they can have a healthy business, make money, and hire more people.

Chairman Crosby asked what the next step should be. Commissioner McHugh stated that the Commission should post Chairman Crosby's memorandum and invite public comment. The Commission should then incorporate the questions in the memorandum into the evaluation criteria. Once the Commission develops the evaluation criteria, the Commission should hold a public discussion. In the meantime, the Commission could extend an invitation to MassPort and MOTT to attend one of the Commission's weekly meetings.

Public Education and Information:

See transcript pages 28-61.

Report from the Ombudsman – Ombudsman Ziembra stated that he continues to have meetings with and answer questions from communities and applicants. This evening, he and Attorney Grossman are scheduled to attend a regional forum hosted by the Pioneer Valley Planning Commission. He stated that over the next couple of weeks he will be concentrating his efforts on reaching out to some of the new applicants. Chairman Crosby asked Mr. Ziembra to create a list of agencies and organizations to assist applicants in determining whom to contact to move their process forward.

Question 1, Surrounding Community Draft Regulation – Mr. Ziembra provided the Commission with a codification of the policy defining surrounding communities that was adopted during December's policy meetings. He recommended that the Commission issue this draft for further public comment and, after reviewing the comments, vote on the policy.

Mr. Ziembra reviewed the portion of the surrounding community draft regulation that pertains to community disbursement. He stated that he included this section to encourage applicants to provide technical assistance funding to communities before the application process. He stated that the Commission will make a final determination regarding whether a community is a "surrounding community" after receiving the RFA-2 application. , In the meantime the Commission must still determine who can receive technical assistance funding. He stated that the draft policy will create a method for disbursement of funds to a community that wants to evaluate the impacts of a casino, even though it is too early for the Commission to deem that community a surrounding community. He stated that a community that has not already signed a surrounding community agreement but wishes to be designated by the Commission as a surrounding community must send a letter to the Commission so requesting within 21 days after the Commission posts on its website the RFA-2 application involving that community. Communities that have signed the surrounding community agreement automatically become surrounding communities. Commissioner Stebbins recommended that Mr. Ziembra define the entity with whom the developer would have to negotiate a surrounding community agreement.

Community Disbursement – Mr. Ziembra stated that Attorney Grossman has prepared a community disbursement grant agreement form and is awaiting final word from the Division of Local Services on the adequacy of the form.

Attorney Grossman addressed the Commission. He stated that the Commission established in Section 114.03 of the regulations a process regarding the letter of authorization. He stated that the Commission can disburse funds to the communities via straight reimbursement or via a grant. He stated that the agreement form requires the Commission to approve the specific expenditures on which the applicant and the developer agreed if those expenditures are consistent with the intent of statute. The intent of the statute is that the disbursements be used for alleviating costs associated with negotiating agreements and mitigating the negative impacts of gaming in the area. The form also contains an audit provision and a callback provision so that the Commission can at any time ensure that funds are properly spent. It requires that the Commission keep good records on how communities spend the funds and allows the Commission to recapture any unspent funds at the conclusion of the review process. It also makes clear that by giving out this money, the Commission is not accepting responsibility for the work for which the grant monies are spent. He recommended that the Commission post this form on its website once approved by the Division of Local Services.

Attorney Grossman stated that several outstanding questions remain. One question relates to how the Commission will process the applications for reimbursement. Another is what would happen if an applicant does not agree to a cost for which a municipality wants reimbursement, and what role the Commission would play in that situation. He stated that under the present system the Commission is the gatekeeper, but the municipality and the applicant should try to reach an agreement themselves. He stated that there is no provision in the present regulations for a situation in which an applicant does not agree to enter into a letter of authorization with a municipality in its entirety, or does not agree to certain expenses.

Chairman Crosby asked whether the Commission should make a decision on these issues. Mr. Ziembra recommended moving forward with the current instrument and dealing with this type of issue if and when it arises. He stated that the Commission will have to resolve the application approval process. Chairman Crosby stated that he believes that the process should fall under the purview of the Ombudsman. Commissioner McHugh agreed that this responsibility could be delegated to the Ombudsman, who would only have to consult with the Commission if he has any doubt about the reimbursement being requested. The remaining Commissioners were in agreement.

Motion made by Commissioner McHugh that the Commission accept the procedure and process detailed in the memorandum of January 17, 2013 and delegate to the Ombudsman the responsibility for making disbursements upon receipt of applications that he approves. Motion seconded by Commissioner Cameron. The motion passed unanimously by a 5-0-0 vote.

Regulation Update:

See transcript pages 61-65.

Attorney Grossman stated that at the last meeting, the Commission discussed a memorandum which laid out a process by which the Commission would draft the Phase 2 regulations and complex gaming regulations. He stated that he has had a discussion with the legal and gaming consultants and the Commission now has an outline including assignments of who would be responsible for certain provisions. He stated that he will send the Commissioners a copy of the outline for review, with the goal of discussing this outline at the next Commission meeting. He stated that the Phase 2

process would be the most time consuming, and, if the Commission can move through this process as quickly as possible, the remaining regulations may move ahead more expeditiously. He stated that he has developed a draft schedule for the promulgation of the regulations, which is consistent with the schedule the Commission has already approved. The schedule attempts to shorten the timeline as much as possible. Commissioner Cameron commended Attorney Grossman on the work he has done on this subject.

IEB Report:

See transcript pages 65-74.

Scope of Licensing – Commissioner Cameron stated that the IEB had a very busy week. She thanked the applicants for responding to the IEB’s requests in a timely manner. She stated that the application review and investigations are proceeding.

Investigations – Commissioner Cameron stated that the IEB reviewed two applications and sent those to the contract investigators to start investigations in conjunction with the State Police. She stated that the IEB has completed application review for four additional applicants—MGM, Mohegan, Hard Rock, and Wynn—and the IEB will also deem these applications sufficient and send them to the investigators. She stated that all applications have some deficiencies and the applicants are being responsive to cure the deficiencies. She stated that Plainridge and Penn National’s background investigations have already begun.

Chairman Crosby asked when the Commission anticipates that the application information can be released to the public. Commissioner Cameron stated that the Commission gave applicants two weeks to provide a redacted copy of the application that will have information suitable for release to the public.

Commissioner Cameron stated that several investigations may require additional costs and when the IEB has substantial forecasts, it will provide an explanation as to the reasons for the increased costs. Commissioner McHugh asked if the Commission will post a schedule of fees on the website. Commissioner Zuniga stated that the Commission is working on posting this information.

Chairman Crosby asked about two applicants who did not declare which license they are looking for, and he expressed concern about moving ahead with background investigations for the slots license first because the Commission does not know what license is being requested. Commissioner Cameron stated that application review is an interactive process and applicants should be able to provide this information as the process unfolds.

Racing Division:

See transcript pages 74-98.

Transition Update - Director Durenberger addressed the Commission. She stated that the transition process is almost complete and the Racing Division will finish any remaining cleanup activities at the vacated facilities by the end of next week.

Pari-mutuel and Simulcast Statute Review and Discussion – Director Durenberger stated that the meeting packet contains a memorandum outlining the issues discussed at the last Commission meeting and the Racing Division will post a clear request for public comment on the Racing Page of the Commission website tomorrow. She stated that a request for comment that the Racing Division had previously posted was inconspicuous and the Racing Division received no comments.

Director Durenberger stated that the Commission previously discussed the simulcast license, which is issued to non-racing gaming licensees, and some of the regulatory challenges presented by the simulcast license. She stated that the Racing Division believes that the Commission has broad regulatory powers to regulate simulcasting by a gaming licensee. She stated that 128A and 128C are set to expire in 2014, as Sections 39 and 41 of the Gaming Act have repealed those chapters.

Commissioner McHugh stated that this discussion proceeds on the assumption that licensing authority under 128A and 128C will be redone in some form. Director Durenberger stated that there are two options to pursue: tweaking individual provisions of 128A and 128C, or creating a comprehensive racing chapter that ends the perpetual sunseting and includes other provisions. David Murray, Consultant, addressed the Commission. He stated that the underlying assumption is that the Commission has a mandate to look at 128A and 128C and to determine whether those sections are effective in the current context of the racing and simulcasting industry. He stated that the Commission will have to look at how 128C regulates simulcasting as well as its involvement in setting the level of takeout that would go into the racehorse development fund to fund the racing industry. He stated that the Gaming Act gives no statutory authority to do all of the things that are currently done on the basis of the authority in 128C. He stated that the Commission would be better off structuring 128C to accommodate the Gaming Act simulcasting license and to incorporate those changes into a revitalized and streamlined 128C.

Chairman Crosby stated that the big question is what will happen to 128A and 128C come July 2014. This Legislature is responsible for making this decision, and the Commission has to determine whether the Legislature wants an opinion on what should happen.

Proposed Regulation Changes to 205 CMR 3.00 and 4.00 – Director Durenberger introduced a draft letter to the Local Government Advisory Council pertaining to proposed changes to 205 CMR 3.00 and 4.00 relative to equine medication and veterinary practices at racetracks. She stated that the letter outlines the areas of the CMR the changes will affect and what the new proposed rules are designed to do. She highlighted some of the recommendations and stated that these proposed rules will give the guidelines that the practitioners and trainers have been seeking. The proposed rules implement industry best practices, and Massachusetts would be joining a number of states in rolling out these rules.

Motion made by Commissioner McHugh that the Commission authorize Director Durenberger to send this letter enclosing new proposed regulations dealing with subjects contained in the letter to the Local Government Advisory Committee and otherwise take steps necessary to see that the regulations are properly promulgated. Motion seconded by Commissioner Stebbins. Motion withdrawn.

Chairman Crosby asked if this letter intended to convey the whole regulatory change. Attorney Grossman stated that the intention was not to forward the draft regulations as they have not been

formally reviewed by the Commission. He stated that this letter highlighting the proposed changes satisfies the obligation of the executive order. Commissioner McHugh stated that he misunderstood what was happening and withdrew his motion. Director Durenberger stated that the intent was to come back before the Commission in approximately two weeks to review the full text of the amendment. Commissioner McHugh recommended that Director Durenberger send the letter and that the Commission review the draft regulations at the next Commission meeting.

Motion made by Commissioner McHugh that Director Durenberger be authorized to send the letter dated January 17, 2013 to the Local Government Advisory Committee promptly. Motion seconded by Commissioner Stebbins. The motion passed unanimously by a 5-0-0 vote.

A brief recess was taken.

Chairman Crosby reconvened the 46th meeting.

Other Business:

See transcript pages 98-127.

Chairman Crosby stated that this portion of the meeting is reserved for matters not reasonably anticipated by the Chairman at the time the agenda was posted, and the Commission will now be discussing four application deadline waiver requests which the Commission received on Tuesday, January 15, 2013.

Ombudsman Ziembra stated that he contacted representatives from all four entities that filed requests for extension to let them know that their requests would be discussed today. He stated that the City of Holyoke has submitted a letter regarding these applications.

Commissioner McHugh stated that three entities that did not file an application submitted requests for extensions, as did one entity that did not deposit a check by the deadline of 5:00 p.m. January 15, 2013. He stated that under the Commission's regulations are two applicable provisions to consider. The first, found in 205 CMR § 111.01(6), provides that the Commission may in its discretion extend the time for filing a complete application to enable an applicant to cure a deficiency in its application, provided that the application was submitted and the applicable fee paid before the established deadline. That section also allows the Commission to grant reasonable additional time for filing in cases in which extraordinary circumstances prevented a timely filing. He stated that § 102.03(4) provides the Commission may in its discretion waive or modify any component of its regulations, including deadlines, and the Commission, in exercising that power, has by regulation said it will consider four factors: whether the waiver is consistent with General Laws chapter 23K, whether granting a waiver will not interfere with the ability of the Commission or the Bureau to fulfill its duty, whether the waiver will adversely affect the public interest, and whether failure to grant the waiver would cause substantial hardship to the person requesting the waiver.

Commissioner McHugh stated that the first request is embodied in a letter from Mayor Michael D. Bissonnette from the City of Chicopee. He read the following from this letter, "the impetus for my outreach to you today is that within the last seven days I feel a very strong and legitimate expression

of interest about a potential site in our city, just taken under option, that warrants my serious consideration and that of our residents. I respectfully request that the Gaming Commission grant the city the additional time we need to work with the site owner by allowing a late application to be filed for a casino development in Chicopee.” Commissioner McHugh stated that this request is understandable from a Mayor who is trying to advance the interests of his city, but does not fit within the concept of extraordinary circumstances. He stated that, under the four part test, granting the waiver would adversely affect the public interest as the Commission is trying to move forward expeditiously to achieve the goals the statute requires. Giving someone an opportunity to file a license application sometime down the road without any deadline in site would endanger the process. He recommended, after considering all the factors, that the Commission deny this request for an extension. Commissioner Cameron stated that she agrees that this is not an extraordinary circumstance. She stated that other developers and cities trying to put deals together met with the Commission to discuss scope of licensing but were not able to make the deadline. Commissioner Zuniga stated that he agrees and pointed out that the deadline has been in place for months. He stated that an applicant did not have to secure a site to meet the deadline and he is disinclined to entertain any waivers. Commissioner Stebbins pointed out that the Mayor could speak to one of the applicants who has not chosen a site and work something out for Chicopee. He stated that he agrees with Commissioner Zuniga that the Commission deadline has been well known.

Motion made by Commissioner McHugh that the request for an extension of the deadline contained in the letter to the Commission sent by the Honorable Michael D. Bissonnette, Mayor of the City of Chicopee, dated January 15, 2013, be denied. Motion seconded by Commissioner Cameron. The motion passed unanimously by a 5-0-0 vote.

Commissioner McHugh stated that the second waiver request was written by Michael Freedberg on behalf of Good Sam’s Casino, Inc. He read the following from this letter, “Good Sam’s Casino is formally requesting that the Commission grant Good Sam’s an extension of time to come forward with its \$400,000 entry fee into the licensed application process.” He stated that the letter further states that Holyoke is the target destination for this casino, that the Holyoke Mayor has taken different positions insofar as casinos in Holyoke are concerned, and his current position is that he does not choose to engage in negotiations with a potential developer for a Holyoke casino. The Good Sam’s letter stated that ultimately the people ought to decide this issue, not the Mayor, and Holyoke may have a special election to fill a United States Senate seat which would offer an opportunity to create a petition to allow casino gaming in Holyoke. The request is for a six month extension of the time for paying the entry fee. Commissioner McHugh stated that this information is speculative, a six month postponement would raise havoc for the schedule for Region A, and the public interest would not be satisfied by granting this application for an extension. He recommended denying this request. Chairman Crosby acknowledged that there have been difficult circumstances at the local level but stated that the Legislature has made this a local process and the Commission has removed itself from local decisions.

Motion made by Commissioner McHugh that the petition of Good Sam’s Casino, Inc. for an extension of six months to file its application and application fee be denied. Motion seconded by Commissioner Zuniga. The motion passed unanimously by a 5-0-0 vote.

Commissioner McHugh stated that the third waiver request is from the Nicolai Law Group on behalf of WM Development Company, aka Paper City Development. He stated that this request

also looks at circumstances that arose in Holyoke and the Mayor's positions. The letter states that the Holyoke City Council has decided to put a casino ballot question before the residents at some point in the future when a special election is held. Commissioner McHugh stated that granting this extension would have a negative effect on the public interest and ought to be denied. Commissioner Stebbins disclosed that he is familiar with the attorney for the law group representing WM Development and also two of the principles from WM Development, but it is his opinion that this familiarity does not exclude him from taking action on the matter. He pointed out that the ballot question may need mayoral approval to move forward. Commissioner Zuniga stated that the proposed ballot question is a nonbinding question so by its nature may not move the process forward.

Chairman Crosby stated that, although this information has no bearing on the Commission's decision, as a matter of public record he would like to disclose that Mayor Morse from Holyoke sent a letter to the Commission stating that he would never negotiate a host community agreement with any applicant and encouraged the Commission not to approve the waiver request.

Motion made by Commissioner McHugh that the petition for an extension filed by WM Development Company, LLC, aka Paper City Development, be denied. Motion seconded by Commissioner Cameron. The motion passed unanimously by a 5-0-0 vote.

Commissioner McHugh stated that the final waiver request is from Seafan Trust d/b/a Sun Moon Casino and Resort. He stated that they are seeking an extension of less than 30 days based on an assertion that they were unable to file their fee in the amount of \$400,000 because the funder died shortly before the application deadline and, consequently, they were unable to get the money needed to file their application. He stated that the application they filed was broadly nonconforming and shows no real ability to follow through on a gaming application in which the necessary information is present. Commissioner Cameron stated that the application was very limited and the Commission had no interactions with this company and has no understanding of the company structure. She stated that she is not comfortable that enough information has been provided for the Commission to determine if they would be serious in the process and agrees that the Commission should not grant an exception for extraordinary circumstances. Commissioner Zuniga stated that he agrees with all these comments and recommendations.

Motion made by Commissioner McHugh that the application of Seafan Trust d/b/a Sun Moon Casino and Resort be denied. Motion seconded by Commissioner Cameron. The motion passed unanimously by a 5-0-0 vote.

Commissioner Zuniga pointed out that the Commission has reached a very important milestone of meeting the January 15, 2013 application deadline. He recognized Chief of Staff Janice Reilly for all the work she has done to make this possible.

Motion made to adjourn, motion seconded and carried unanimously.

List of Documents and Other Items Used at the Meeting

1. Massachusetts Gaming Commission January 17, 2013 Notice of Meeting and Agenda
2. Massachusetts Gaming Commission January 10, 2013 Meeting Minutes

3. Massachusetts Gaming Commission Summary Schedule Update
4. Massachusetts Gaming Commission January 11, 2013 Memorandum Regarding Evaluation Criteria for Casino Proposals
5. Massachusetts Gaming Commission January 17, 2013 Memorandum Regarding Community Disbursement
6. January 16, 2013 Draft of Regulation Regarding Determination of Surrounding Communities
7. Massachusetts Gaming Commission Grant Agreement
8. Question 1 Analysis
9. January 14, 2013 Racing Division Briefing Memorandum
10. January 17, 2013 letter to Department of Housing & Community Development and Massachusetts Municipal Association from Dr. Durenberger Regarding Amendment of 205R
11. Supplemental Agenda
12. January 15, 2013 City of Chicopee Request for Extension of Time
13. Letter from Massmouth Consulting Regarding Good Sam's Casino, Inc. Request for Extension
14. January 15, 2013 Letter from Nicolai and Accompanying Petition Regarding WM Development Request for Extension
15. January 15, 2013 Seafan Trust d/b/a Sun Moon Casino and Resort Letter Regarding Request for Extension of Time in Which to Submit Phase I Application Fee
16. January 17, 2013 letter from Mayor Alex B. Morse requesting that the Commission deny all Phase 1 Application deadline extension requests related to casino development in the City of Holyoke

/s/ James F. McHugh
James F. McHugh
Secretary

The Commonwealth of Massachusetts
Massachusetts Gaming Commission

Meeting Minutes

Date: January 24, 2013

Time: 1:00 p.m.

Place: Division of Insurance
1000 Washington Street
1st Floor, Meeting Room 1-E
Boston, Massachusetts

Present: Commissioner Stephen P. Crosby, Chairman
Commissioner Gayle Cameron
Commissioner James F. McHugh
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

Absent: None

Call to Order:

Chairman Crosby opened the 49th public meeting.

Approval of Minutes:

See transcript page 2.

Chairman Crosby stated that the Commission will review the minutes for January 17, 2013 at the next Commission meeting.

Administration:

See transcript pages 2-29.

Finance Update – Commissioner Zuniga recommends that the Commission ratify the extension of the current lease at its present headquarters for an additional year and make a commitment for additional space of 5,561 rentable square feet.

Motion made by Commissioner Zuniga that the Commission ratify a commitment with the landlord at 84 State Street to extend the term of the current space for one year and add additional space for a term of fourteen months, so both leases would expire contemporaneously. Motion seconded by Commissioner Stebbins. The motion passed unanimously by a 5-0-0 vote.

Background Check Finances – Commissioner Zuniga stated that he has prepared a memorandum for discussion on three key considerations relative to charges for the Phase 1 investigations. He stated that the Commission should publish on its website the hourly fees for investigations and he has included in this memorandum the fees that the Commission will be paying its investigation staff. Chairman Crosby asked that Commissioner Zuniga verify the fees noted in Item G, as they appear to be high. Commissioner Zuniga stated that investigators will provide a forecast to the Commission and the applicant if the initial application fee is insufficient to cover the investigations.

Commissioner Zuniga stated that the regulations allow the Commission to assess to the applicant a portion of the costs the Commission incurs that are attributable to investigations. He recommended that the Commission base this cost on the direct salaries of people assigned to the investigation efforts. In addition, the investigations would incur an indirect cost based on direct salaries. Chairman Crosby asked that Commissioner Zuniga reassess the overhead calculation contained in the memorandum.

Commissioner Zuniga asked that the Commission consider whether the Commission should assess its indirect costs equally among the eleven applicants or whether it should prorate the indirect costs based on direct costs. After discussion, the Commission determined that it was leaning toward assessing indirect costs proportionally based on direct costs but would seek further information from other jurisdictions.

Commissioner Zuniga stated that the Commission should consider what to do if forecasted fees exceed available funds and how to collect those additional funds from the applicant. He suggested that the Commission could ask the applicant to replenish the difference in advance or determine a minimum amount that the applicant should hold in an account. Under the second option, if the balance falls below a specific amount, the Commission will ask the applicant to replenish the account accordingly. He stated that the regulations reference \$100,000 as a minimum balance that the applicant must maintain.

Commissioner Cameron stated that the Commission's goal is to avoid any kind of stoppage in investigations due to financial constraints. She stated that the second option makes sense as it allows a more accurate forecast. Chairman Crosby recommended using a middle ground plan, with a minimum balance of \$200,000, so when each account goes down to \$200,000 the Commission requests additional funds necessary to meet the projection for total cost. Commissioner Cameron stated that the Commission will keep clear records of its costs and provide these records to applicants. She indicated that the Commission will return to the applicant any money requested but not used if the investigation costs less than anticipated.

Public Education and Information:

See transcript pages 29-50.

Report from the Ombudsman – Ombudsman Ziembra stated that he continues to have meetings and conversations with applicants and communities, including those relating to the more recent filings. He stated that he continues to receive general questions regarding process, funding, and

timing issues. He stated that he has received minor comments from the Department of Revenue Division of Local Services relative to the Community Disbursement form. He anticipates that the Commission will post the grant and process within a couple of days. He stated that he has been working with a number of different regional planning agencies to distribute the draft surrounding community definition.

Mr. Ziembra stated that he has received questions about the Commission's directive that no referendum occur until the end of the Phase 1 licensing process and he and Commissioner Cameron have met with the consultants to discuss this question. Commissioner Cameron stated that the IEB is focusing investigative resources on the Category 2 licenses, with the goal of completing investigations on those applicants by early May. In addition, the Commission has targeted July 25 as a date for completion of the Category 2 suitability determinations. Nevertheless, the Commission is attempting to advance those dates if at all possible and will do its best to provide cities and towns with likely date changes as quickly as possible so that they will be able to plan accordingly.

Commissioner McHugh stated that a community may schedule a referendum for any time after July 25, but it will be taking a risk because the Commission cannot guarantee that it will complete suitability determinations by the July 25 date. He stated that the Commission will update applicants when it can, but for the moment these dates are the best information available. Mr. Ziembra advised that the Commission should issue another host and surrounding community advisory in the near future that includes any new information and post the information on its website so that it is available to everyone.

Energy Efficiency Presentation:

See transcript pages 50-93.

Commissioner Stebbins stated that Chapter 23K of the General Laws has a number of provisions with respect to building the resort destination casinos in compliance with LEED guidelines for energy efficiency. He stated that resort casinos will be heavy utility users and the Commission has discussed ensuring that these facilities are energy efficient. He introduced Mark Sylvia from the Department of Energy Resources and Galen Nelson from the Massachusetts Clean Energy Center, who the Commission invited to make a presentation on energy efficiency.

Mr. Sylvia addressed the Commission and introduced Dwayne Breger and Ian Finlayson, two members of his team. They provided information on the Department of Energy Resources' role as well as the types of programs and incentives that may be available to casino applicants as they go through the application process. Mr. Sylvia stated that the Department of Energy Resources would be more than willing to sit with each one of the applicants, along with the Clean Energy Center and some of their colleagues, to provide further details.

Mr. Nelson addressed the Commission. He provided background information on the Clean Energy Center, including its mission and goals, and explained the programs that the CEC offers. He stated that in addition to providing benefits for building owners and patrons, high performance casinos also create an opportunity to drive Massachusetts economic activity in this

industry. The casinos, therefore, can be early adopters of emerging clean energy technology that is being developed right here in Massachusetts. He stated that the CEC looks forward to being a resource for the Commission and casino developers and is willing to work together to design and build casinos of which everyone can be proud.

Mr. Ziemba stated that the Commission will be working with Executive Office of Energy and Environmental Affairs for its guidance on technical questions that arise when reviewing the applications.

Regulation Update:

See transcript pages 93-105.

Attorney Grossman stated that he has provided the Commission with an outline prepared by the consultants, which provides a timeline and assignment of responsibilities for the Phase 2 regulation process. He stated that in house counsel will review the completed regulations and circulate them to the Commission for review. Commissioner McHugh stated that the plan is to circulate sections as they are completed rather than waiting until all sections are completed. Commissioner Zuniga stated that he would like to participate in sections five and eight. Commissioner Stebbins expressed interest in sections eight, as well as the sections on host community agreements, surrounding community agreements, and live entertainment venue agreements.

Mr. Grossman stated that his plan is to have draft language written on items 1-27 by the first week of March for submission to the full Commission. The Commission can then begin the promulgation process, notify the Local Government Advisory Council, notify the Secretary of State's Office, publish notification in the newspapers, and begin the public hearing process.

A brief recess was taken.

Chairman Crosby reconvened the 49th meeting.

Public Education and Information (Continued):

See transcript pages 105-113.

Protocol for Meetings with Applicants – Chairman Crosby stated that the Commission has not established a standard for Commissioners to meet with applicants or surrounding and host communities. Commissioner McHugh stated that the Commission should be careful about non-public meetings because applicants are undergoing a competitive process. He suggested that, at the very least, requests for meetings should be in writing and specify the subject matter of the meeting so that the Commission may determine whether a meeting with Commissioners is necessary. Most subject matters should be handled by Commission staff. Commissioner Cameron agreed and stated that she cannot anticipate a scenario in which the Commission staff would not be able to field questions. Chairman Crosby stated that there is a distinction between an official meeting with a governing body of the surrounding or host community versus

representatives of the community attending a public meeting. The Commission believes that the latter is a more favorable scenario.

Commissioner Zuniga stated that the Commission in Indiana has a strict policy of not meeting with licensees at all. Commissioner McHugh stated that the Commission should write a policy on this matter and agreed that he would prepare a draft in the coming weeks.

IEB Report:

See transcript pages 113-115.

Scope of Licensing/Investigations – Commissioner Cameron stated that the IEB is nearing the end of the qualifier determinations stage. There are outstanding issues with two applicants but the IEB is nearing resolution of those issues and anticipates full resolution in the near future. She stated that the IEB has completed initial review of six applications and has started investigations on those. The IEB is planning to complete review and start investigations for three more applicants this week.

Racing Division:

See transcript pages 115-133.

Pari-mutuel and Simulcast Statute Review and Discussion – David Murray, Racing Consultant, addressed the Commission in Dr. Durenberger's absence. He stated that in order for the Commission to continue to possess the current levels of regulatory authority over live racing and simulcast takeouts, the Commission must authorize some of the core provisions of Chapters 128A and 128C of the General Laws on or before July 21, 2014. He stated that the review team is working on a draft single proposed chapter that will incorporate all of the core provisions that currently enable the broad regulatory authority in 128A and 128C, as well as an accompanying draft report, with a goal of getting the proposed legislation to the Commission by the end of next week for filing by the end of February.

Mr. Murray stated that over the last several days the Racing Division has received approximately 212 emails regarding simulcasting of greyhound races. The vast majority of those emails demand that the Commission recommend in its report to the legislature that, in addition to banning dog racing within the Commonwealth, the Legislature also ban simulcast wagering on dog races that take place outside the Commonwealth. He stated that these emails came in the wake of an email exchange he had with the President of GREY2K USA, Christine Dorchak, as to the meaning of the current law that bans greyhound racing. He stated that they have a difference of opinion as to what this law means. Chairman Crosby stated that Ms. Dorchak's believes that the law also bans simulcasting of greyhound racing while the Commission believes that the law does not ban simulcasting of greyhound racing.

Chairman Crosby asked if there is a difference in the Commission's ability to permit simulcasting of horse racing and the ability to permit simulcasting of dog racing. Commissioner McHugh stated that under G.L. c. 23K, §7(b) the Commission has broad regulatory authority to

permit various types of simulcasting or not, but it would be important for the Commission to understand the legislative intent. Chairman Crosby stated that the Commission will have to make a decision on whether it wants to allow simulcasting of dog racing. He recommended that the Commission draft the recommendation to the legislature both ways, including simulcasting of dog racing and excluding it, and let the Legislature make the ultimate decision.

Doug O'Donnell from the Racing Division addressed the Commission. He stated that the Commission has before it a list of unpaid pari-mutuel tickets from 2011 for which the ticket-holders are seeking payment. He stated that those who make wagers on winning horses have until the following year to seek payment. The state auditors have reviewed this list and are in agreement that the Commission should authorize payment of each listed ticket. He stated that once the Commission approves payment, the tracks will have 90 days to pay to the Commonwealth the amount they are holding as a reserve for winning tickets on which no payment claim has been made. Upon receipt of those funds from the tracks, the commonwealth will deposit them into the purse accounts for Plainridge and Suffolk Downs and into the stabilization account for Wonderland and Raynham.

Motion made by Commissioner Cameron that the Commission approve the payment of the 2011 outs in the amounts specified on the list Mr. O'Donnell presented. Motion seconded by Commissioner Stebbins. The motion passed unanimously by a 5-0-0 vote.

Motion made to adjourn, motion seconded and carried unanimously.

List of Documents and Other Items Used at the Meeting

1. Massachusetts Gaming Commission January 24, 2013 Notice of Meeting and Agenda
2. January 23, 2013 Memorandum Regarding Recommendation to Ratify Extension of Current Space and Additional Space
3. January 23, 2013 Memorandum Regarding Investigations Costs Consideration
4. Massachusetts Gaming Commission Initial Drafting Assignments for Phase-2 Draft Regulations
5. January 15, 2013 Memorandum Regarding 2011 Suffolk Outs Individual Payments

/s/ James F. McHugh
James F. McHugh
Secretary

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The Commonwealth of Massachusetts
Massachusetts Gaming Commission

Meeting Minutes

- Date:** January 31, 2013
- Time:** 1:00 p.m.
- Place:** Massachusetts Gaming Commission
84 State Street, Suite 720
Boston, Massachusetts
- Present:** Commissioner James F. McHugh
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga
- Absent:** Commissioner Stephen P. Crosby, Chairman
Commissioner Gayle Cameron

Call to Order:

Commissioner McHugh, chairing the meeting in Chairman Crosby's absence, opened the 50th public meeting.

Approval of Minutes:

See transcript page 2.

Commissioner McHugh stated that the first order of business on the agenda is approval of the January 17 minutes. However, he has not yet distributed the minutes to the full Commission so these minutes will be reviewed at the next Commission meeting.

Racing Division:

See transcript pages 2-10.

Director Durenberger addressed the Commission. She stated that before the Commission today are proposed changes to 205 CMR 3.00, which governs standardbred (harness) horseracing, and 205 CMR 4.00, which governs thoroughbred horseracing. She stated that she would like to schedule a public hearing for Monday, February 25 on these proposed changes. She stated that implementing these changes requires that the Commission file a small business impact statement and publish the proposed regulations in the Massachusetts Register.

Commissioner McHugh stated that the Commission is beginning the formal regulation promulgation process, which will include the formal public hearing, and also the public comment

period required by statute. He stated that these regulations will bring Massachusetts into the forefront of the veterinarian medication aspect of thoroughbred and standardbred racing.

Director Durenberger stated that during the drafting process her team held in person meetings and telephone conferences with stakeholders and invited email and written submissions. They received feedback from thoroughbred and standardbred stakeholders, such as representatives from the horsemen's groups, owners and breeders groups, track operators, and Commission staff. Commissioner Zuniga noted that the formal comment period is just beginning and all comments are welcome.

Commissioner Stebbins asked about the change in language relative to suspensions. The current suspension language refers to racing days and the new language refers to consecutive calendar days. He asked if the individual being suspended would feel the penalty or impact of the suspension if this change is implemented. Director Durenberger stated that there are two ways a judge or steward can write a ruling against an occupational licensee: based on racing days or based on calendar days. Because Massachusetts does not have racing every day, a suspension for three racing days causes confusion in other states that have a system of reciprocity if the individual wanted to race in that state. She stated that when the punishment is in the form of a seven calendar day suspension, the time period will capture three racing days in Massachusetts and extend that period of suspension into any state that chooses to honor the reciprocity. She stated that this change will make Massachusetts consistent with the majority of the industry which uses consecutive calendar days.

Motion made by Commissioner McHugh that the Commission begin the administrative process, including the public comment period, for the proposed changes to 205 CMR 3.00 and 4.00 by sending these draft regulations and the other appropriate papers to the Secretary of State and posting the appropriate notices. Motion seconded by Commissioner Stebbins. The motion passed unanimously by a 3-0-0 vote.

Research Update:

See transcript pages 10-18.

Collins Center ISA Approval – Ombudsman Ziembra addressed the Commission. He stated that the agreement before the Commission is a culmination of discussions that the Commission has had with the Collins Center regarding assistance that the Collins Center can provide to host and surrounding communities.

Commissioner Stebbins stated that the Commission has expressed an overall concern about the impact of casino development on small communities. Communities with limited staffing are not prepared to deal with a development project of this size and scope. He stated that the Commission has considered ways to offer assistance to these communities and reached out to the Collins Center at U. Mass Boston, which is specifically focused on working with Massachusetts municipalities on a number of local government management issues. He stated that the Collins Center submitted a proposal and the Commission has engaged the Center to start work on two tracks: looking at development agreements and doing case studies on other jurisdictions with

large facilities. He stated that this assistance will provide valuable information to the host and surrounding communities and the Commission as well.

Mr. Ziemba stated that he is discussing with the regional planning agencies the types of services they can provide to host and surrounding communities and the Collins Center proposal will assist with that process. Commissioner McHugh stated that the Collins Center will be very helpful to the Commission in planning for the RFA-2 process. Commissioner Zuniga stated that working with the Collins Center is a good option which is both cost effective and timely.

Motion made by Commissioner Stebbins that the Commission approve the Interagency Service Agreement (ISA) with the Edward J. Collins Center for Public Management at U. Mass Boston for \$40,000. Motion seconded by Commissioner Zuniga. The motion passed unanimously by a 3-0-0 vote.

Commissioner McHugh stated that Chairman Crosby and Commissioner Cameron were not in attendance as they are each on a well-earned vacation.

Motion made to adjourn, motion seconded and carried unanimously.

List of Documents and Other Items Used at the Meeting

1. Massachusetts Gaming Commission January 31, 2013 Notice of Meeting and Agenda
2. Report to Massachusetts Gaming Commission Racing Division 205 CMR 3.00 and 4.00 Comments and Recommendations on New or Amended Rules and Regulations
3. January 28, 2013 Memorandum Regarding Interagency Service Agreement (ISA) with the Edward J. Collins Center for Public Management at UMass–Boston

/s/ James F. McHugh
James F. McHugh
Secretary

RESUME

Rick Day

EMPLOYMENT

DIRECTOR

Washington State Gambling Commission

2001-present

Olympia, Washington

On behalf of a nine member Gambling Commission provides leadership and management for over 150 positions including commissioned special agents, auditors and licensing units and negotiates Tribal-State Gaming compacts on behalf of the State.

Accomplishments:

- Completed statewide criminal and regulatory gambling investigations including felony cheating, bookmaking, animal fighting, and employee theft.
- Created an international task force with federal, state, and Canadian law enforcement agencies to investigate illegal Internet gambling actively investigating cases in cooperation with the Internal Revenue Service, Federal Bureau of Investigation, state, and local agencies leading to the identification and seizure of \$28 million and a federal settlement involving \$134 million.
- Led the State negotiating team that reached a Tribal-State Compact agreement with the Spokane Tribe resolving over 20 years of hostility and legal disputes.
- Initiated and completed a 3 year project to re-write and simplify 15 chapters of the Washington Administrative Code reducing over 45,000 words in the process.
- Conducted employee surveys in cooperation with the Department of Personnel in which employees rating scores on questions like recognition, input in decisions, expectations and accountability all exceeded the average for other state agencies.
- Initiated numerous employee team driven changes including new pay plans for agents and licensing staff, recognition programs, coaching, use of force policy and training that contributes to an employee turnover rate consistently below the state average.

ADJUNCT INSTRUCTOR
Helena College of Technology

2001-2002
Helena, Montana

Responsibilities included developing curriculum and courses while teaching in a traditional classroom setting and online hosted by the University of Montana.

Accomplishments:

- Wrote the curriculum for a correctional officer option in the Protective Services Program and designed a combination of courses arranged in sequence by years which constituted a program of study leading to a degree.
- Developed lesson plans, selected textbooks, arranged for classes and instructed courses such as Fundamentals of Criminal Law.
- Developed and instructed an Introduction to Criminal Justice course which included interactive lectures, course assignments and student consultation using Blackboard educational software.
- Completed 40 hours of training at the National Emergency Training Center Emergency Management Institute which included developing, producing, planning and evaluating training courses and materials.

DIRECTOR
Department of Corrections

1995-2000
Helena, Montana

Government reorganization effective July 1, 1995 created a new Department of Corrections which included adult and juvenile services. Responsibilities included organizing the first Department of Corrections in Montana's history, providing leadership and management for more than 1,000 positions, 25 field offices, eight secure facilities, probation and parole, and a 40,000 acre correctional ranch.

Accomplishments:

- Established a victims' services office and automated victims' notification system.
- Established a public information office, agency newsletter, annual reports, legislative bulletins, and the Department's first web page.
- Represented the Governor on the Montana Crime Control Board and Youth Justice Council to approve statewide grants and recommend adult and juvenile criminal justice policy.
- Established a cooperative academy-based training program that has trained over 400 new corrections and detention officers.
- Implemented new physical fitness standards for correctional officers.
- Initiated numerous employee driven changes including replacement of the entire department policy structure, unit reorganization, and a new pay plan for correctional officers.
- Obtained federal grants to establish a new intensive intervention program for high-risk juveniles, a new chemical dependency treatment program for juvenile males and construction of both men's and women's prison facilities.

- Established internal audit and criminal investigation units within the department.
- Obtained legislative and executive support to expand juvenile and adult secure capacity by more than 1,000 beds.
- Doubled the capacity of community corrections programs and the number of probation and parole field officers.
- Implemented chemical dependency and employment development services for offenders in the State's largest probation and parole offices.
- Established a cooperative victim restitution program with the Department of Revenue and State District Courts.
- Implemented a long range planning process.
- Obtained the State Legislature's approval of 24 out of 25 bills requested by the Department in the 1997 and 1999 sessions.
- Conducted two Summit conferences on corrections by bringing together employees and key stakeholders from across Montana.
- Developed a new mission statement and related goals.

DIRECTOR

Department of Corrections and Human Services

1993-1995

Helena, Montana

Responsibilities included providing leadership and management for approximately 2,000 employees, including the state mental health hospital, community mental health centers, veteran homes, community and institutional programs for the developmentally disabled, a chemical dependency treatment facility, and adult corrections operations.

Accomplishments:

- Consolidated and centralized Department budget and accounting functions and procedures.
- Initiated a statewide juvenile mental health managed care approach.
- Designed a plan to support balancing the state budget, which was \$220 million in the red, with approximately \$28 million in reductions and efficiencies.
- Initiated and completed a reduction-in-force process which impacted about 150 positions and included public meetings with employees and support of legislation to retrain and offer protections for employees to allow closure of an aging state hospital.
- Obtained legislative approval of state-county regional prisons, which provided for a state financial contribution to county jail construction and a contract with the county to house state inmates.
- Relocated and established a new state chemical dependency treatment facility and obtained legislative approval of a new \$21 million state mental health hospital.

The Department of Corrections and Human Services included the statewide mental health, developmental disabilities, chemical dependency, veterans and correctional programs.

ADMINISTRATOR
Law Enforcement Services Division
Department of Justice

1991-1993
Helena, Montana

Responsibilities included management of statewide criminal and dangerous drug investigations, criminal history records, and fire prevention and investigation units.

Accomplishments:

- Implemented Montana's participation in the Western Automated Fingerprint Information System (AFIS) and funded the system by obtaining grant funding and matching the grant with forfeited assets.
- Reorganized the division to create a separate drug enforcement unit and enhanced relationships with local law enforcement.
- Provided direction and oversight for the state's criminal investigation of the five homicides and maximum security prison disturbance.
- Expanded criminal investigations to include white-collar crime activities like welfare, Medicaid and worker's compensation fraud.
- Provided direction and oversight for the state's investigation of public officials.

BUREAU CHIEF
Gambling Investigation Bureau
Gambling Control Division
Department of Justice

1989-1991
Helena, Montana

Responsibilities included establishing and managing Montana's first criminal and regulatory gambling investigation bureau following the re-location of the responsibility from the Department of Revenue to the Attorney General's Office.

Accomplishments:

- Assembled a team of professional investigators and supporting organizations to provide statewide gambling law enforcement services.
- Initiated and directed numerous investigations requiring multiple searches and prosecution referrals.
- Initiated cooperative investigations with federal agencies including the investigation of a casino operation located on one of the state's seven Indian Reservations.
- Provided training in investigative report writing to worker's compensation claims personnel.
- Established Bureau relationships with local, state and federal law enforcement agencies.

PROGRAM MANAGER
Revenue Investigation Bureau
Investigation Division
Department of Revenue

1981-1989
Helena, Montana

Responsibilities included management of statewide alcohol and tobacco control, welfare

fraud, Medicaid fraud, and video gambling investigations.

Accomplishments:

- Formed the state's first unit responsible for video gambling regulatory and criminal investigations, at times requiring simultaneous service of search warrants in multiple counties.
- Developed new electronic investigative techniques.
- Initiated an extensive investigation regarding the trafficking in untaxed cigarettes between Washington and Montana.
- Supervised and referred for prosecution the first state-investigated worker's compensation criminal case.

INVESTIGATOR

Investigation Bureau
Department of Revenue

1977-1981

Miles City/Missoula, Montana

Responsibilities included Revenue investigation activity in the entire eastern area of Montana followed by transfer to Missoula as assistant regional supervisor with similar investigative activities.

Accomplishments:

- Initiated investigations in a variety of criminal and regulatory areas including liquor, tobacco tax, child support, welfare and Medicaid fraud.
- Participated in a joint investigation with the Alcohol, Tobacco and Firearms Bureau of an illegal alcohol manufacturing operation in a remote western Montana location.
- Investigated and obtained prosecution for the first state referred criminal welfare fraud case in Missoula County.

POLICE OFFICER

Cities of Bozeman, Belgrade & West Yellowstone, Montana
Internship with the Spokane Police Department, Spokane, Washington

1975-1977

Responsibilities included police patrol activities with three departments and several different shifts. This experience included civil disturbance control, criminal investigation and special event security.

EDUCATION

Master of Public Administration
Daniel J. Evans School of Public Affairs
University of Washington

2005
Seattle, Washington

B.S. Sociology and Criminal Justice

1976

MONTANA STATE UNIVERSITY
Honors Graduate
Post graduate courses

BOZEMAN, MONTANA

1985-88

Political Science
GONZAGA UNIVERSITY

1971
SPOKANE, WASHINGTON

AWARDS & CERTIFICATION

- 1977 Fox Trophy, Highest Academic Record, Montana Law Enforcement Academy, Basic 25.
- 1983 Governor's Citation for Service, Governor Ted Schwinden.

Meritorious leadership and initiative in support of the men and women who serve America in the Guard and Reserve, The National committee for Employer Support of the Guard and Reserve
- 1995 In appreciation for courage and thoughtfulness in approach, Montana Sheriffs' and Peace Officers Association.
- 2001 Peace Officer Certification, Peace Officer Standard's & Training Council.
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BOARDS and PROFESSIONAL MEMBERSHIPS

- Former Chairman of the Enforcement Work Group for the Internet Gambling Task Force.
- Co-Chairman of the Internet Committee for the North American Regulators Association (NAGRA)
- Interagency Coordinating Council for Prevention Programs.
- Youth Justice Advisory Council.
- Montana Crime Control Board.
- Office of Public Instruction, Montana Behavioral Initiative Advisory Council.
- Montana Sheriff's and Peace Officer's Association.
- Montana Corrections Association.
- Association of State Correctional Administrators.
- Trustee of the Carolyn Beach Homeowners Association.
- Former Member of the Montana Sentencing Commission.
- Former Member of the Governor's Montana Promise Steering Committee.
- Former Board Director for Montana, Rocky Mountain Information Network.
- Former Board Member Organized Crime Drug Enforcement Task Force, Montana.

- Former Member, Information Technology Advisory Council.
 - Former Member, Job Training Coordinating Council.
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