



Massachusetts Gaming Commission Meeting Minutes

- Date/Time:** October 26, 2017– 10:00 a.m.
- Place:** Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA
- Present:** Commissioner Gayle Cameron
Commissioner Lloyd Macdonald
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga
- Absent:** Commissioner Crosby

**Time entries are linked to
corresponding section in
Commission meeting video**

Call to Order

See transcript page 2

[10:00 a.m.](#) Chairman Crosby being absent, Commissioner Zuniga stated that he will act as chair for this meeting and called to order the 227th Commission meeting.

Approval of Minutes

See transcript pages 2 - 4

[10:00 a.m.](#) Commissioner Stebbins requested that a change be made on page 5 of the minutes to reflect that the commission suggested a monthly update call with MGM and requested that Maria Bottari's title be added to her name in the minutes. Staff agreed to make both changes.

Commissioner Macdonald moved for the approval of the Commission meeting minutes of October 12, 2017, subject to corrections for typographical errors and other nonmaterial matters. Motion seconded by Commissioner Cameron. Motion passed 4 – 0.

Administrative Update

See transcript pages 3 - 9

10:02 a.m. Executive Director Bedrosian described the supplemental budget making its way through the legislature and the amendment regarding background review of gaming service employees that is included as part of the supplemental budget. Executive Director Bedrosian stated that he was hopeful that the supplemental budget would be passed by the end of the month.

Executive Director Bedrosian stated that his second update concerned a personnel matter and he advised the Commission that Trooper Dean Cerullo, who was one of the original state troopers assigned to the Commission, was retiring effective today. He asked Trooper Cerullo to come forward and advised the Commission that Trooper Cerullo has served the Commonwealth as a State Trooper for 22 years, the last 5 of which were with the Commission. Each Commissioner and Executive Director Bedrosian expressed their admiration and respect for Trooper Cerullo, thanked him for his service to the Commonwealth and wished him the best as he starts the next chapter of his life.

Finance

See transcript pages 9 – 40

10:08 a.m. CFAO Lennon presented the FY 18 First Budget Update. He reviewed income and expense numbers and noted a decrease in total spending and a decrease in the assessment to the licensees. CFAO Lennon stated that he will continue to monitor the budget as the fiscal year progresses. Agnes Beaulieu, Finance and Budget Office Manager presented on progress against the FY 17 diversity spending benchmarks and described the projected FY 18 benchmarks. Ms. Beaulieu stated that the state Supplier Diversity Office changed the methodology it used to calculate the spend amount and that this change did not impact the Commission's ability to meet the benchmarks. She stated that except for the women business enterprise category, the Commission met its FY 17 diversity spending benchmarks. Ms. Beaulieu explained that the Supplier Diversity Office has not put out benchmarks for FY 18 but that the Commission is about halfway toward the benchmarks that were used in FY 17. CFAO Lennon stated that we take diversity seriously; we discuss benchmarks with all our vendors and that we will continue looking for diverse vendors.

Human Resources Manager Trupti Banda presented on the Commission's employment diversity numbers. She stated that the Commission has 67 employees and 19 seasonal racing employees. Nine employees left the Commission and 7 new employees were hired in the last fiscal year. Ms. Banda stated that the Greater Boston diversity number is 42%; the Commonwealth number is 25% and the Commission's benchmark is 25%. This year the Commission was 5% off the benchmark. Ms. Banda described the efforts used to increase candidate pools to obtain diverse candidates. Commissioners Cameron and Stebbins asked questions regarding the upcoming hiring of gaming agents for the category 1 facilities. Ms.

Banda stated that the Commission expected to hire a mix of experienced and non-experienced individuals. Executive Director Bedrosian stated that he and CFAO Lennon have started to discuss the number of gaming agents to be hired and that he works with Ms. Banda on diversity in all open Commission positions.

Research and Responsible Gaming
See transcript pages 40 – 95

10:40 a.m. Director Vander Linden introduced Dr. Rachel Volberg and Elissa Manzar, Project Manager from the SEIGMA team at UMass Amherst. He stated that Dr. Volberg was here today to present on the updated baseline general population survey; the patron survey; and the license plate survey.

Dr. Volberg presented first on the design of the re-weighting process and its impact on the results of the baseline general population survey. She explained the difference in the results between the first review of the baseline general population survey and the results after the re-weighting process. Dr. Volberg stated that the updated baseline population survey using the re-weighting process will be posted on the SEIGMA website right after this meeting.

Dr. Volberg continued by presenting on the patron survey. She expressed her appreciation to Laurie Salame, also from UMass Amherst for her assistance on the patron survey. Dr. Volberg thanked Plainridge Park Casino for their help and assistance with the survey and also stated that the survey was a joint effort of the SEIGMA and the UMass Donohue Institute. Dr. Volberg explained that the main purpose of the survey is to determine the geographic origin of patrons; the amount of money recaptured; the amount of money spent on on-site and off-site amenities; the extent to which any money spent would have been spent on other activities and the awareness of Game Sense. Dr. Volberg explained the process of collecting the data and stated that there was a 22% response rate. This response rate is high when compared to the response rate for most consumer surveys. Dr. Volberg stated that most of patrons came from Massachusetts and the Plainville and surrounding areas; that the patrons were split evenly between male and female; the patrons were mostly white, higher educated and retired. Fourteen percent stated that this was their first visit to Plainridge Park Casino; 40% said that they visit once per week or more often. Patrons stated that gambling was the motivation for the visit to Plainridge Park Casino. The survey did not look at the fact that Plainridge Park does not allow smoking and thus could not determine if that fact impacted patronage at Plainridge Park.

Dr. Volberg went on to present the license plate survey. She explained that the reason this survey was done was that similar surveys were done every two years at other casinos in New England between 2004 and 2014. The license plate survey estimated that 82% of the patrons were from Massachusetts. This was compared to the patron survey and both surveys were quite close. Dr. Volberg stated that she thinks the patron survey should continue and that it is the best measure of on-site, off-site and reallocated expenditures by patrons. Dr. Volberg thanked Heidi Stevens who designed the paper version of the survey and stated that patrons had a choice of whether to take the survey on an iPad or on paper.

11:42 a.m. The Commission took a short recess.

11:49 a.m. The Commission reconvened.

Ombudsman

See transcript pages 95 - 154

[11:49 a.m.](#) Ombudsman Ziemba, joined by Construction Project Oversight Manager Joe Delaney, presented on the Community Mitigation Fund guidelines for 2018. Mr. Ziemba described the development of a list of questions regarding topics in the proposed guidelines and the meetings he attended with the various stakeholders across the Commonwealth. He stated that it is his hope today to develop a discussion draft of the guidelines that can be put out for public comment. Mr. Ziemba stated that he will review the comments he receives and come back to the Commission in December with a final version of the guidelines for the Commission's approval.

Mr. Ziemba explained that the commission packet included a list of concepts for the Commission's discussion. He described each question and the policy consideration behind it. The Commissioners asked questions regarding a regional allocation of the fund based on money paid into the fund by the casino in that region; limits on grant awards; whether funding should cover construction costs of a project; whether joint applications should be allowed; the requirement to show a relation between the request and an impact from the casino; and when to address public safety impacts. The Commissioners stated that Mr. Ziemba's recommendations were sound and gave the Commissioners a lot to think about. The Commissioners complimented Mr. Ziemba on his engagement with the local community mitigation advisory committees.

Legal

See transcript pages 154 - 161

[12:53 p.m.](#) General Counsel Blue presented the small business impact statement for 205 CMR 146 – Table Games Equipment

Commissioner Macdonald moved that the Commission approve the small business impact statement for 205 CMR 146 as included in the packet and authorize the staff to take the steps necessary to file the regulation with the Secretary of the Commonwealth and proceed with the regulation promulgation process. Motion seconded by Commissioner Cameron. Motion approved 4-0.

Deputy General Counsel Grossman, Attorney Justin Stempeck, Gaming Technology Manager Floyd Barroga, and Assistant Director Gaming Agents and Division Chief Bruce Band presented amendments to 205 CMR 143 which address the issue of a simultaneous jackpot.

Commissioner Stebbins moved that the Commission approve the amendments to 205 CMR 143 as included in the packet and authorize staff to take the necessary steps to file the regulations with the Secretary of the Commonwealth and proceed with the

regulation promulgation process. Motion seconded by Commissioner Cameron. Motion approved 4-0.

Deputy General Counsel Grossman presented on an addendum to the Plainridge Park Casino non-disclosure agreement and requested that the commission authorize the Executive Director to sign the addendum and incorporate it into the existing non-disclosure agreement.

Commissioner Macdonald moved that the Commission approve the addendum to the Plainridge Park Casino non-disclosure agreement and authorize the Executive Director to sign the addendum and incorporate it into the Plainridge Park Casino non-disclosure agreement. Motion seconded by Commission Cameron. Motion approved 4-0.

IEB

See transcript pages 162 - 188

[1:00 p.m.](#) IEB Director Wells asked the Commission for guidance on several issues related to the excluded persons list described in 205 CMR 152. She described how other jurisdictions, such as Nevada and Pennsylvania implement their excluded persons list. Director Wells explained that the purpose of this item today is to start the discussion to frame the issues and that the discussion will continue at additional commission meetings as needed. One area where the Commission's guidance would be helpful is on the issue of unattended minors left in cars in the parking lot or parking garage and whether the Commission thinks that people who leave unattended minors in cars should be placed on the excluded persons list. Commissioner Zuniga stated that since Chairman Crosby was not at today's meeting, the discussion can begin with the other commissioners but should be continued at the next meeting when Chairman Crosby returns. Commissioner Zuniga stated that this question comes from a case decided by the Commission's hearing officer and stated that he would like to read the decision. It was agreed that staff would provide a copy of the decision and the transcript to each Commissioner.

Director Wells and Chief Enforcement Counsel Lillios explained how the list appears on the Commission's website and the information that is included.

The Commission directed staff to bring this matter back for further discussion at the next Commission meeting.

Commissioners Updates

See transcript pages 188-189

[1:29 p.m.](#) Commissioners had no updates.

[1:30](#) *Having no further business, a motion to adjourn was made by Commissioner Macdonald. Motion seconded by Commissioner Cameron. Motion passed 4 – 0.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated October 24, 2017
2. Massachusetts Gaming Commission, Draft Meeting Minutes, October 12, 2017
3. Massachusetts Gaming Commission Memorandum from CFAO Derek Lennon regarding the quarterly budget dated October 26, 2017
4. Presentation – Massachusetts Gaming Commission employee statistics
5. Presentation – SEIGMA – Comparing Original and Updated Results from the BGPS dated October 26, 2017.
6. Presentation and Report – SEIGMA – Patrons License Plate Survey Report – Plainridge Park Casino dated October 26, 2017
7. Draft Community Mitigation Fund Guidelines and Policy Recommendations for Inclusion in the 2018 Community Mitigation Fund Guidelines Discussion Draft dated October 19, 2017
8. Small Business Impact Statement for 205 CMR 146 – Table Games Equipment
9. Final Amendments to 205 CMR 143 – Wide Area Progressive regulations
10. Addendum A to Plainville Gaming and Redevelopment LLC Non-disclosure agreement dated February 4, 2016
11. 205 CMR 152 – Individuals Excluded from a Gaming Establishment

/s/ Catherine Blue

Catherine Blue, Assistant Secretary