



Meeting Minutes

Date/Time: November 20, 2014 – 10:30 a.m.

Place: Boston Convention and Exhibition Center
415 Summer Street, Room 102B
Boston, Massachusetts.

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

Absent: Commissioner Bruce Stebbins

Call to Order

See transcript page 2

10:30 a.m. Chairman Crosby called to order the 138th Commission Meeting.

Approval of the Minutes

See transcript page 2-3

10:30 a.m. *Commissioner McHugh moved for the approval of the November 6, 2014 minutes. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

Administration

See transcript pages 3-16

10:32 a.m. Director Day presented the Commission with an administrative update.

10:35 a.m. Director Day and General Counsel Blue presented on the emergency Race Horse Development Fund regulations along with the public comments received on them.

10:39 a.m. *Commissioner Gayle Cameron moved for the Commission to pass 205 CMR 148.00 Race Horse Development Fund regulations and 205 CMR 14 Supplemental Licensing regulations by emergency. Motion seconded by Commissioner McHugh. Motion passed unanimously.*

10:40 a.m. Director Day and Commissioner Zuniga presented an update on the 2014 annual report.

Research and Problem Gaming

See transcript pages 16-142

10:46 a.m. Director Vander Linden presented an update on Play Management and Pre-Commitment.

10:48 a.m. Bob DeSalvio of Wynn MA, LLC presented on behalf of Wynn MA, LLC regarding the issue of problem gaming and implementing play management and pre-commitment systems.

11:16 a.m. Alan Feldman of MGM Resorts presented on behalf of MGM regarding the issue of problem gaming and implementing play management and pre-commitment systems.

11:34 a.m. Jan Snowden of Penn National Gaming presented on behalf of Penn National regarding the issue of problem gaming and implementing play management and pre-commitment systems.

12:03 p.m. Commission took a short recess.

12:14 p.m. Meeting resumed.

12:14 p.m. Director Vander Linden, Deputy Counsel Grossman, and Assistant Director Band presented regulations 205 CMR 138.40-138.47 regarding credit, ATMs, cash-cashing, and credit extension.

1:05 p.m. *Commissioner McHugh moved that the Commission authorize the promulgation of the regulations discussed in 205 CMR 138.40-138.47 through the formal comment period. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

1:06 p.m. Director Vander Linden and Steve Keel, Director of Problem Gambling Services at the Department of Public Health, presented the annual research agenda recommendations.

1:15 p.m. Meeting recessed for lunch.

1:52 p.m. Meeting resumed.

Investigations and Enforcement Bureau

See transcript pages 142-164

- 1:52 p.m. Director Wells presented on two new Penn National qualifiers for suitability, John Finamore and Carl Sottosanti; and an additional MGM qualifier Alexander Hunter Clayton.
- 1:58 p.m. *Commissioner McHugh moved the Commission finds John Finamore, Carl Sottosanti, and Alexander Hunter Clayton as fully qualified in light of the IEB investigations. Motion seconded by Commissioner Cameron. Motion passed unanimously.*
- 1:59 a.m. Assistant Director Band and Deputy General Counsel Grossman presented on 205 CMR 138.01-138.39 and 138.48-138.72, internal controls, operations, accounting and gaming procedure regulations.
- 2:13 p.m. *Commissioner Cameron moved that the Commission move the internal controls, operations, accounting and gaming procedures regulations through the promulgation process. Motion seconded by Commissioner McHugh. Motion passed unanimously.*

Ombudsman Report

See transcript pages 164-190

- 2:15 p.m. Ombudsman Ziemba and Director Wells presented an updated timeline regarding Region C.
- 2:25 p.m. Ombudsman Ziemba, Chuck Irving with Davenport Properties presented on MGM's FEIR filing.

Legal Division

See transcript pages 190-

- 2:45 p.m. General Counsel Blue presented on the official license decision of Region A. Commissioner Crosby recused himself from this discussion.
- 2:54 p.m. *Motion made by Commissioner Zuniga to approve the statement of findings for the Region A determination of the license to the applicant Wynn as presented in the packet subject to typographical and mechanical corrections. Motion seconded by Commissioner Cameron. Commissioner Crosby abstained. Motion passed unanimously.*
- 2:55 p.m. General Counsel Blue and Deputy General Counsel Grossman presented on the written license decision for Region B.

- 3:05 p.m. *Motion made by Commissioner McHugh to accept the findings as they appear in the materials with respect to Region B license to Blue Tarp Development, Limited and include in those findings the diagram set out in diagrams 4.05.01 that are attached to the packet of materials subject to the right to make any typographical and mechanical corrections that are appropriate. Seconded by Commissioner Zuniga. Motion passed unanimously.*
- 3:06 p.m. General Counsel Blue presented on the transfer of interest regulations in 205 CMR 129.01-129.03.
- 3:11 p.m. *Motion made by Commissioner Zuniga to move the transfer of interest regulations 205 129.01-129.03 through the formal process. Motion seconded by Commissioner Cameron. Motion passed unanimously.*
- 3:11 p.m. Deputy General Counsel Lillios presented on amendments and additions to licensing of vendor and employee regulations, 205 CMR 134 to be passed by emergency.
- 3:15 p.m. *Motion made by Commissioner McHugh to adopt on an emergency basis the amendments to 205 CMR 134.04 and 134.18 as they appear in the packet of materials and to move them through the formal promulgation process. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*
- 3:17 p.m. *Commissioner Cameron made a motion to adjourn the meeting. Motion passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission November 20, 2014 Notice of Meeting and Agenda.
2. Massachusetts Gaming Commission November 6, 2014 Meeting Minutes.
3. 205 CMR 148.01 through 148.05 DRAFT.
4. Massachusetts Gaming Commission Third Annual Report.
5. Massachusetts Gaming Commission November 7, 2014 memorandum regarding play management tools with attached licensee responses.
6. 205 CMR 138.40-138.47 DRAFT with attached comments.
7. Massachusetts Gaming Commission November 20, 2014 memorandum regarding recommendations for the Annual Gaming Research Agenda.
8. Massachusetts Gaming Commission November 17, 2014 IEB qualifier report of applicant Blue Tarp/MGM for qualifier Alexander Hunter Clayton.
9. Massachusetts Gaming Commission November 17, 2014 IEB qualifier report of applicant Penn National Gaming for qualifier John Finamore.
10. Massachusetts Gaming Commission November 17, 2014 IEB qualifier report of applicant Penn National Gaming for qualifier Carl Sottosanti.

11. 205 CMR 138.01 through 138.72 DRAFT with attachments.
12. MGM Springfield Presentation.
13. Massachusetts Gaming Commission/2014-11-14 licensing schedule update
Category 1 License- Region C DRAFT.
14. Written license decision for Category 1 Gaming Establishment in Region A.
15. Written license decision for Category 1 Gaming Establishment in Region B.
16. 205 CMR 129.01 to 129.03 DRAFT
17. 205 CMR 134 DRAFT.

/s/ Catherine Blue
Catherine Blue
Assistant Secretary