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## Meeting Minutes

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**Date/Time:** December 3, 2013 – 9:00 a.m.

**Place:** Boston Convention and Exhibition Center  
415 Summer Street, Room 151B  
Boston, Massachusetts

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

**Absent:** None

Clicking on the time posted in the margin will link directly to the appropriate section of the video.

### **Call to Order**

See transcript page 2.

9:05 a.m. Commissioner McHugh opened the 92nd public meeting. Chairman Crosby was not present at the start of the meeting but entered during Professor Quelch's presentation.

### **Foreign Corrupt Practices Training**

Presentation by Professor John Quelch, Harvard University. See transcript pages 2-40.

9:05 a.m. Professor Quelch discussed foreign corrupt practices by multinational companies and responded to questions of the Commission.

### **Approval of Minutes**

See transcript pages 40-41.

10:00 a.m. Commissioner McHugh stated that the minutes for the November 21 public meeting are ready for approval.

*Motion made by Commissioner McHugh that the minutes of November 21, 2013 be accepted subject to any mechanical or typographical corrections that may later be*

*found. Motion seconded by Commissioner Cameron. The motion passed unanimously.*

### **Ombudsman Report**

Report by Ombudsman John Ziemba. See transcript pages 41-88.

- 10:01 a.m. Ombudsman Ziemba described the host community public hearings that the Commission is conducting on the evenings of December 3, 4, and 5 for the three Category 2 applicants.
- 10:03 a.m. Ombudsman Ziemba and General Counsel Blue presented the issue of how the Commission should treat applicant agreements with neighboring communities when both the applicant and the community agree that the community should not be treated as a surrounding community. The Commission agreed to allow applicants and communities to enter into agreements without requiring that those agreements be treated as surrounding community agreements.
- 10:15 a.m. Ombudsman Ziemba presented to the Commission an issue with how the Town of Longmeadow and the applicant Blue Tarp Redevelopment are structuring the look-back provision in their surrounding community agreement. The Commission clarified that it supports look-back provisions but the community and applicant should also account for impacts that are known or knowable when executing the agreement.
- 10:18 a.m. Ombudsman Ziemba presented the status of surrounding communities and the Commission discussed what instructions it should give to arbitrators when applicants and surrounding communities cannot reach agreements on their own.
- 10:30 a.m. Ombudsman Ziemba raised the question of whether the Commission should extend the deadline for surrounding community and impacted live entertainment venue petitions relative to Category 1 applicants. The Commission agreed to not extend the deadline.
- 10:51 a.m. The Commission took a brief recess.

### **Research and Problem Gambling**

Report by Director Mark Vander Linden. See transcript pages 88-96.

- 10:52 a.m. Director Vander Linden presented the Commission's report to the legislature on its research agenda. The Commission discussed the report.
- 11:01 a.m. *Motion made by Commissioner Zuniga that the Commission accept the Report on the Research Agenda of the Massachusetts Gaming Commission as presented and forward the report to the relevant subcommittees of the legislature as required by the Expanded Gaming Act. Motion seconded by Commissioner McHugh. The motion passed unanimously.*

11:02 a.m. The Commission took a brief recess.

### **Sterling Suffolk Discussion**

See transcript pages 97-155.

11:10 a.m. Chairman Crosby introduced the discussion on the status of Sterling Suffolk as an applicant for a Category 1 license in Region A and formally recognized that the Commission is cognizant and highly sensitive of the needs of individuals involved in the Massachusetts thoroughbred industry.

11:12 a.m. Chip Tuttle, Tom Reilly, Charles Baker, Mitchell Etes, Kevin Conroy, and Mayor Dan Rizzo provided an update on Sterling Suffolk's partnership with Mohegan and the host community agreement with Revere. Mohegan Sun Massachusetts, LLC is interested in assuming the host community agreement that Sterling Suffolk Racecourse, LLC signed with the City of Revere and continuing to the RFA-2 process with a Category 1 facility in Revere. The Commission considered the issue of changing applicants and requested that the staff conduct further research prior to making a determination.

11:52 a.m. The Commission discussed the original questions of whether the Revere referendum, the host community agreement with Revere, or the definition of "gaming establishment" and "premises" would preclude a gaming establishment in Revere. In light of the new questions that the change of applicant raises, the Commission determined that it will postpone addressing these issues until the following week.

12:15 p.m. Meeting adjourned.

### **List of Documents and Other Items Used**

1. Massachusetts Gaming Commission December 3, 2013 Notice of Meeting and Agenda
2. CV of Professor John Quelch, Harvard University
3. Massachusetts Gaming Commission November 21, 2013 Meeting Minutes
4. Report on the Research Agenda of the Massachusetts Gaming Commission - Mark Vander Linden
5. Massachusetts Gaming Commission Bolton Surrounding Community Petition Analysis
6. Massachusetts Gaming Commission Sterling Surrounding Community Petition Analysis
7. Massachusetts Gaming Commission Bridgewater Surrounding Community Petition Analysis

/s/ Catherine Blue  
Catherine Blue  
Assistant Secretary