



Meeting Minutes

Date/Time: December 3, 2015 – 10:30 a.m.

Place: MassMutual Center
1277 Main Street, Room 4 & 5
Springfield, MA

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner Lloyd Macdonald
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

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

Call to Order

See transcript page 2

10:30 a.m. Chairman Crosby called to order the 171st Commission Meeting held at the MassMutual Center in Springfield.

Approval of Minutes

See transcript pages 2-3

10:30 a.m. *Commissioner Macdonald moved for the approval of the November 12, 2015 minutes with the reservation of power to correct mechanical and typographical errors. Commissioner Stebbins and Chairman Crosby noted typographical errors that needed correction. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

Administration

See transcript pages 3-5

10:31 a.m. Interim Executive Director Karen Wells provided an update on the evaluation process for Region C. She noted that the evaluation teams are working with the Commissioners and the process is on target and moving forward. She also reported on the Plainridge Casino operations and noted that there is good communication and information sharing between the gaming agents, law enforcement, ABCC (Alcoholic Beverages Control Commission), and the Attorney General's Office for investigations.

Legal Division

See transcript pages 5-31

[10:33 a.m.](#) General Counsel Catherine Blue presented on the regulations framework grid – phase 3. She noted that most of the regulations on the grid concern the opening of category 1 facilities. She also noted that the goal is to get the Commissioners involved in the regulation draft process before a final draft is presented for formal promulgation.

[10:47 a.m.](#) General Counsel Blue presented on the handbook of the Commission’s rights and responsibilities pursuant to the Mashpee Wampanoag Tribal and State Compact. She noted that the Commission does not regulate the tribal casino under M.G.L. c. 23A, but it does have some regulatory oversight. The purpose of the handbook is to layout areas where the Commission has regulatory oversight. The handbook was sent to the Tribe, the Attorney General’s Office, and the Governor’s Office for their review and comments.

Fantasy Sports Update

See transcript pages 32-36

[11:00 a.m.](#) Chairman Crosby noted that the Commission has scheduled a daylong educational forum on December 10th at the Hynes Convention Center in Boston. The forum will cover daily fantasy sports and online gaming.

Research and Responsible Gaming

See transcript pages 36-66

[11:03 a.m.](#) Director Mark Vander Linden provided an overview of the 2016 gaming research agenda which included highlights of the SEIGMA (Social and Economic Impacts of Gambling in Massachusetts) and MAGIC (Massachusetts Gambling Impact Cohort) research projects and the GRAC (Gaming Research Advisory Committee) agenda recommendations. Director Vander Linden also presented on the final agenda recommendations which included: (1) continue current research agenda and responsible gaming evaluation initiatives, (2) procure services with research entity for player tracking data systems, (3) add targeted survey to SEIGMA, and (4) identify priority population subgroups and implement data collection.

Investigations and Enforcement Bureau (IEB)

See transcript pages 66-91

[11:42 a.m.](#) Director Karen Wells presented on a key gaming employee executive license for Edward Nolan which included an overview of the suitability investigation and a summary of his professional background. The IEB recommended that the Commission find Mr. Nolan suitable for a key gaming executive license.

[11:45 a.m.](#) *Commissioner Cameron moved that the Commission approve Edward Nolan for licensure as a key gaming executive. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

- [11:46 a.m.](#) Chairman Crosby noted that the public hearing at 2:30 p.m. pertaining to MGM will not be live-streamed.
- [11:47 a.m.](#) Director Wells provided an update on the License Management System and noted that the licensing department is initiating a pilot to test and improve licensing operations in anticipation of casino openings in 2018.
- [11:49 a.m.](#) Director Wells presented on proposed emergency amended regulations which included: 205 CMR 134.12 – temporary licenses for employees and vendors and removal of 12 month expiration date for temporary vendor licenses; 205 CMR 134.16 – increase initial term of licenses for key gaming and gaming employees from three years to five years; and 205 CMR 116.07 – performance of duties during the suitability process for new qualifiers.
- [12:03 p.m.](#) *Commissioner Cameron moved that the Commission adopt, on an emergency basis, the amendments to regulations 205 CMR 134.12 - temporary licensing, 205 CMR 134.16 - terms of the license, and 205 CMR 116.07 - qualifications of new qualifiers. Commissioners Stebbins amended the motion to make the emergency regulations applicable to anyone who is currently on a temporary vendor license. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*
- [12:04 p.m.](#) Director Wells presented on memorandum pertaining to delegation of authority to the Director of the Investigations and Enforcement Bureau regarding temporary licenses.
- [12:06 p.m.](#) *Commissioner Stebbins moved that the Commission adopt the two resolutions on page three of the memorandum from Chief Enforcement Counsel/Deputy Director of IEB, Loretta Lillios, with respect to authority and permission granted to the Director of the IEB. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*
- [12:07 p.m.](#) The Commission recessed for lunch.
- [12:38 p.m.](#) The meeting resumed.

Ombudsman

See transcript pages 92-205

- [12:38 p.m.](#) Ombudsman John Ziemba presented an update on the MGM Springfield Section 61 Findings process and draft Memorandum of Agreement with the Massachusetts Historical Commission.
- [12:41 p.m.](#) Michael Mathis, President of MGM Springfield, acknowledged MGM officials and presented on the MGM design changes which included: design evolution, design refinement timeline, host community agreement, residential housing, hotel, loading dock, employee dining room reduction, bowling area, casino floor, hotel guestroom comparison, Boston market low rise hotels, street level involvement, retail, restaurants and food outlets, banquet area, child care center, ice skating rink, parking, cinema, and aerial view rendering.
- [1:50 p.m.](#) Brian Packer, Vice President of Construction/Development for MGM Springfield, provided a construction update which included the following: parking progress and

the addition of 51 new parking spaces, notification to abutters on activity, construction labor, construction timeline (enabling, church relocation, parking garage, hotel, and casino), recent activities (demolition and abatement, utility work, and Mission construction), and construction statistics (675 construction workers and 34 Western MA construction companies have participated in project to date).

- [2:00 p.m.](#) Seth Stratton, Vice President and General Counsel for MGM Springfield, presented on project costs and non-construction commitments. He also noted overall investment in project will be \$950 million and will include 3000 operational jobs, 2000 construction workers, improvements to the riverfront and Union Station, and entertainment venues.
- [2:08 p.m.](#) Commissioner Zuniga stated that he is looking for details in costs and numbers reported.
- [2:11 p.m.](#) Commissioner Macdonald inquired as to the increase in building, construction, and design costs. Brian Packer and Seth Stratton responded that the increase is due to material and labor as well as an unanticipated price escalation.
- [2:15 p.m.](#) Michael Mathis reported on tower elimination project costs.
- [2:17 p.m.](#) Chairman Crosby noted that the project was reduced in size by ten percent but the project has increased in cost by 25 percent. He stated that he would like more particulars. Mike Mathis reported that he will provide an analysis.
- [2:22 p.m.](#) Commissioner Stebbins stated that he would like more of a breakout of line seven on page 70 of the spreadsheet. Seth Stratton stated he will provide that detail.
- [2:24 p.m.](#) Seth Stratton presented on next steps with the City of Springfield which included: working closely with the Mayor's Office and City Council, getting approval of the casino overlay district, hearings before the City Council, site plan review, host community agreement amendments, and road closures.
- [2:27 p.m.](#) Attorney Jed Nosal, representing MGM Springfield, presented on the Massachusetts Historical Commission's Memorandum of Agreement (MOA) which he stated the Commission approved in August with some discretion to staff to address outstanding issues. Attorney Nosal requested that the Commission reaffirm approval of the MOA. General Counsel Blue responded that Commission approval would require a vote and it is not on the agenda. General Counsel Blue stated that the approval could be delegated to the Executive Director.
- [2:31 p.m.](#) *Commissioner Cameron moved that the Commission delegate to the executive director the final approval of the Memorandum of Agreement with the Massachusetts Historical Commission. Motion seconded by Commissioner Zuniga. Commissioner Macdonald abstained from the vote because he was not a party to the communications and deliberations. Motion passed four in favor and one abstention.*

Other Business Not Reasonably Anticipated

See transcript pages 205-206

2:34 p.m. *Having no further business, a motion to adjourn was made by Commissioner Zuniga. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated December 3, 2015
2. Massachusetts Gaming Commission, Draft Meeting Minutes dated November 12, 2015
3. Massachusetts Gaming Commission, Regulations Framework – Phase 3
4. Massachusetts Gaming Commission’s Rights and Responsibilities Pursuant to the Mashpee Wampanoag Tribal-State Compact
5. Massachusetts Gaming Commission, Memorandum dated December 3, 2015 regarding Recommendations for the Annual Gaming Research Agenda
6. Massachusetts Gaming Commission, Memorandum dated December 1, 2015 regarding Delegation of Authority to the Director of the Investigations & Enforcement Bureau (“IEB”) Regarding Temporary Licenses
7. Draft Regulations:
 - 205 CMR 134:00 Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations
 - 134.12 Temporary Licenses
 - 134.16 Term of Licenses
 - 205 CMR 116:00 Persons Required to be Licensed or Qualified
 - 116.07 Qualification of New Qualifiers
8. Letter from Jed Nosal to John Ziemba, dated November 30, 2015 regarding MGM Springfield and Memorandum of Agreement, with attachments
9. MGM Springfield Project Presentation, dated December 3, 2015 with attachments
10. Comments pertaining to proposed MGM Springfield project design change

/s/ Catherine Blue

Catherine Blue, Assistant Secretary