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## Meeting Minutes

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**Date/Time:** February 19, 2015 – 10:30 a.m.

**Place:** Boston Convention and Exhibition Center  
415 Summer Street, Room 102 A/B  
Boston, Massachusetts

**Present:** Chairman Stephen P. Crosby  
Commissioner Gayle Cameron  
Commissioner Bruce Stebbins

**Absent:** Commissioner James F. McHugh  
Commissioner Enrique Zuniga

### **Call to Order**

See transcript page 2

10:34 a.m. Chairman Crosby called to order the 145<sup>th</sup> Commission Meeting.

### **Approval of the Minutes**

See transcript pages 2-3

10:35 a.m. Approval of the February 5, 2015 minutes have been postponed until a quorum of members from that meeting are present.

### **Administration**

See transcript pages 3-24

10:36 a.m. Director Day presented an administrative update which included an announcement for vendors and employees to complete application process in time for Penn opening, the mailing of letters to Suffolk Downs Workers (from Chairman Crosby and Wynn MA President Robert DeSalvio) regarding potential employment opportunities at Wynn Everett and an overview of the GTECH CMS contract Addendum.

- 10:45 a.m. CFAO Lennon presented an update on the GTECH CMS contract which included pricing options and his recommendation.
- 10:58 a.m. *Commissioner Cameron moved that the Commission authorize staff to continue and finalize negotiations with GTECH in order to begin implementing the central monitoring system and take into consideration comments today and previous comments which are articulated in the addendum. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

### **Legal Division**

See transcript pages 24-109

- 10:59 a.m. Attorney Holmes presented on draft regulation 205 CMR 14 – Supplemental Licensing Procedures.
- 11:00 a.m. *Commissioner Cameron moved that the Commission continue the promulgation of 205 CMR 14 in accordance with M.G.L. ch.128A. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*
- 11:01 a.m. General Counsel Blue presented an overview of racing matters that included letters received from racing stakeholders and invitation for stakeholders to present on their concerns and plans for 2015.
- 11:04 a.m. Attorney Martin Corry, representing the Harness Horseman’s Association of New England, presented on concerns regarding the allocation of the Race Horse Development Fund.
- 11:11 a.m. George Carney, representing the Brockton Agricultural Society and Middleborough Agricultural Society, presented on the Brockton Fair grounds being a viable location for horse racing or a casino.
- 11:19 a.m. General Counsel Frank Frisoli and President Anthony Spadea, of the New England Horseman’s Benevolent and Protective Association (NEHBPA), presented on issues raised in letters provided to the Commission which included economic assistance and the Race Horse Development Fund.
- 11:33 a.m. General Counsel Blue presented an overview of M.G.L. ch.128A § 5(h)(4) – the economic assistance fund (\$20,000), and treatment of fund disbursement to individuals who have requested financial assistance.
- 11:45 a.m. President Louis Raffetto, representing the New England Horseman’s Agricultural and Racing Corporation and Advisor to the NEHBPA, presented on 2015 racing season plans which included an update on discussions with Suffolk Downs, the need for funding and action needed from the Legislature.

- 11:54 a.m. President Anthony Spadea, NEHBPA, presented on need for funding to maintain medical and life insurance benefits for employees.
- 11:56 a.m. General Counsel Blue presented an overview of the Race Horse Development Fund and percentage disbursements.
- 12:05 p.m. General Counsel Frank Frisoli, representing the NEHBPA, requested that the Commission/Legal Counsel take another look at statutory language pertaining to the 80 percent purse account deposit.
- 12:06 p.m. Chief Operating Officer Chip Tuttle, Suffolk Downs, presented on the Legislative action needed to move things forward and update on ongoing negotiations with the NEHBPA.
- 12:13 p.m. Attorney Kevin Considine, representing the Massachusetts Thoroughbred Association, presented on request for release of funds.
- 12:21 p.m. *Commissioner Cameron moved that the Commission authorize the General Counsel to work with the two breeder organizations in order to verify numbers and distribute the eight percent as discussed. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*
- 12:24 p.m. Commission took a short recess.
- 12:39 p.m. Meeting resumed.
- 12:39 p.m. National Director Paul Brooker, Horseshoes Union and Allied Trades local 947 SEU, presented on concerns regarding racing inactivity, consequences thereof and lack of information pertaining to Suffolk Downs.
- 12:45 p.m. Trainer William Lagorio, Suffolk Downs, presented on need for preservation of horse racing and expedited agreement with Suffolk Downs.

### **Racing Division**

See transcript pages 109-120

- 12:49 p.m. Chief Veterinarian and Operations Manager Dr. Lightbrown presented on the Furosemide Administration Program with recommendations that included employee training, enforcement, review of operating procedures and the formulation of a working group with stakeholders.
- 12:55 p.m. Senior Financial Analyst Doug O'Donnell presented on unclaimed wagers from 2013 and requested approval from Commissioners to send letters to respective tracks.

12:59 p.m. *Commissioner Cameron moved that Racing Division staff be authorized to send out letters for the recovery of 2013 unclaimed winnings at all the tracks, the monies to come in and the appropriate distribution back to the tracks. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

### **Other Business Not Reasonably Anticipated**

See transcript page 121

1:00 p.m. *Having no further business, a motion to adjourn was made by Commissioner Cameron. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

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

1. Massachusetts Gaming Commission February 19, 2015 Notice of Meeting and Agenda
2. Massachusetts Gaming Commission February 5, 2015 Meeting Minutes
3. Massachusetts Gaming Commission letter to Suffolk Downs Workers
4. Wynn Resorts letter to Suffolk Downs Workers
5. Massachusetts Gaming Commission CMS Pricing Options with Addendum A
6. Racing Materials:
  - Letter from Catherine Blue to horse racing stakeholders, dated January 30, 2015 regarding horse racing licenses, race horse development fund and invitation to submit written statements and appear before the Commission.
  - Letter from Anthony Spadea to Jennifer Durenberger, dated December 11, 2014 regarding request for simulcasting authorization.
  - Letter from Catherine Blue to Anthony Spadea, dated January 15, 2015 regarding request for authorization to simulcast.
  - Letter from Anthony Spadea to Jennifer Durenberger, dated December 11, 2014 regarding request for transfer of 2015 racing license.
  - Articles of Organization (New England Horseman's Agricultural and Racing Corporation).
  - Letter from Catherine Blue to Anthony Spadea, dated January 15, 2015 regarding request for transfer of 2015 racing license.
  - Letter from Bruce Patten to Danielle Holmes, dated January 26, 2015 regarding economic assistance with budget attachment.
  - Letter from Stephen Crosby to Kevin Considine, dated January 21, 2015 regarding Massachusetts Thoroughbred Breeders Association.
  - Letter from Kevin Considine to Stephen Crosby, dated January 14, 2015 regarding the Massachusetts Thoroughbred Breeders Association with Exhibits A, B and C.
  - Letter from Chip Tuttle to Stephen Crosby, dated January 15, 2015 regarding Suffolk Downs.

7. Racing Briefs:

- Letter from Anthony Spadea to Catherine Blue, dated February 11, 2015 regarding request for enforcement of licensees' obligation to pay 2015 simulcasting premiums.
  - Letter from Anthony Spadea to Catherine Blue, dated February 11, 2015 regarding comment on HRC review of RHDF funding allocation between Standardbreds & Thoroughbreds.
  - Letter from Anthony Spadea to Catherine Blue, dated February 11, 2015 regarding comment on NEHBPA racing license transfer to NEHARC.
  - Letter from Anthony Spadea to Catherine Blue, dated February 11, 2015 regarding comment on HRC review of RHDF funding for multiple thoroughbred licensees.
  - Letter from Anthony Spadea to Catherine Blue, dated February 11, 2015 regarding comment on Sterling Suffolk Racecourse request for race days in 2015.
  - Letter from Anthony Spadea to Catherine Blue, dated February 11, 2015 regarding 2015 racing season plan.
  - Letter from Christopher McErlean to Stephen Crosby, dated February 12, 2015 regarding Plainridge Park Casino horse racing.
  - Letter from Martin Corry to MA Gaming Commisison, dated February 11, 2015 regarding stakeholders hearing 2/19/15.
  - Letter from Ed Nowak to Catherine Blue, dated February 11, 2015 regarding the Standardbred Owners of Massachusetts.
  - Email from Paul Umbrello to MGC, dated February 18, 2015 regarding comment for public hearing with article dated 9/25/14.
8. 205 CMR 14.00 – Supplemental Licensure Procedures.  
14.01 Supplemental Procedures for Licensure Pursuant to M.G.L. c. 128A, §2
9. Massachusetts Gaming Commission February 12, 2015 Memorandum Regarding Furosemide Administration Program
10. Massachusetts Gaming Commission February 11, 2015 Memorandum Regarding 2013 Unclaimed Tickets to Purse Accounts – Horse Tracks
11. Massachusetts Gaming Commission February 11, 2015 Memorandum Regarding 2013 Unclaimed Tickets to Stabilization Fund – Dog Tracks
12. Letter from Rick Day to Wonderland Greyhound Park, dated February 11, 2015 regarding Recovery of 2013 Unclaimed Winnings.
13. Letter from Rick Day to Sterling Suffolk Racecourse, dated February 11, 2015 regarding Recovery of 2013 Unclaimed Winnings.
14. Letter from Rick Day to Taunton Dog Track / Massasoit Greyhound Association, dated February 11, 2015 regarding Recovery of 2013 Unclaimed Winnings.
15. Letter from Rick Day to Plainville Racecourse, dated February 11, 2015 regarding Recovery of 2013 Unclaimed Winnings.

/s/ Catherine Blue  
Catherine Blue  
Assistant Secretary