



Massachusetts Gaming Commission Meeting Minutes

- Date/Time:** March 30, 2017 – 10:00 a.m.
- Place:** Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, Massachusetts
- Present:** Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga
- Absent:** Commissioner Lloyd Macdonald

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

Call to Order

See transcript page 2

10:00 a.m. Chairman Crosby called to order the 213th Commission meeting. He noted the absence of Commissioner Macdonald and referred the approval of the minutes to Commissioner Zuniga.

Approval of Minutes

See transcript pages 2-4

10:00 a.m. *Commissioner Zuniga moved for the approval of the March 16, 2017, Commission meeting minutes subject to any corrections, typographical errors, or other nonmaterial matters. Commissioner Zuniga noted a typographical error – IGA should be IGT. Motion seconded by Commissioner Cameron. Commissioner Stebbins requested, at time entry 10:57 a.m., to note the changes that were made to the regulations as a result of comments received. General Counsel Catherine Blue suggested waiting until final approval of the regulations when all comments have been incorporated. Motion passed 4 to 0.*

Administrative Update

See transcript pages 4-7

10:02 a.m. Executive Director Edward Bedrosian, Jr. reported that the public comment period for the MGM Springfield operational diversity plan will be extended until April 13th

at 5:00 p.m. He stated that the Commission will not have a public meeting on this matter today at 5:00 p.m. as reported on some sites.

Executive Director Bedrosian noted the retirement of two long-time racing employees –Jeff Bothwell and Trooper Joe Sinkevich. He wished them well.

Executive Director Bedrosian stated that he virtually attended the Springfield “topping off” ceremony (installation of the last beam at MGM Springfield) and it was a great event. He stated that Commissioner Zuniga will provide an update on this event.

Racing Division

See transcript pages 7-79

10:05 a.m. General Counsel Catherine Blue presented on a request from Sterling Suffolk Racecourse, LLC for the Commission to approve the transfer of Suffolk Downs to a third-party purchaser for redevelopment. She provided an overview of the provisions in M.G.L. c. 128A, §11C for the transfer of the property and she stated that Suffolk Downs addressed the requirements in section 11C. She stated that Suffolk Downs proposes 6 days of live racing in 2017 and may engage in live racing, with a lease and Commission approval, in 2018. She noted that Suffolk Downs is not proposing to transfer their racing license and they will be responsible for the requirements of the racing license. She noted that the transfer will not impact the integrity of racing.

Commissioner Cameron stated that she does not feel that the sale affects the integrity of racing and she is in favor of the proposal. Chip Tuttle, Chief Operating Officer for Suffolk Downs, stated that they no longer have an agreement with casino operator Mohegan Sun, but they may have an ongoing agreement with Caesars Casino. Bruce Barnett, Attorney for Suffolk Downs, stated that Suffolk Downs is not part of the ownership of the buyer of the property and they anticipate closing on April 27th. Mr. Tuttle stated that any improvements to the racing property will be their responsibility. Attorney Barnett stated that he does not foresee any changes to the lease after the closing. Chairman Crosby inquired about the simulcast license and Mr. Tuttle stated that they would like to maintain the simulcast operation into the future. Chairman Crosby stated that he received public comments pertaining to the simulcast license. Chairman Crosby doesn't know whether the Commission has the authority to pull the simulcast license and give it to someone else, but in any event, Suffolk Downs has a second simulcast license at Wonderland which is legislatively mandated. He also stated that we have never been approached by any entity to bid for a simulcast license.

10:28 a.m. *Commissioner Cameron moved that the Commission find that Sterling Suffolk, LLC has satisfied their requirements described in Section 11C of the Mass. General Laws Chapter 128A as more fully described in the letter from DLA Piper dated March 16, 2017, found in the Commissioner's packet, and further moved that in accordance with Section 11C the Commission approve the sale of the property described in the March 16th letter and leaseback of the property to Sterling Suffolk, LLC for the use of a racetrack in 2017 and potentially in 2018 subject to the issuance of a license to Suffolk Downs in 2018. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

Commissioner Cameron further moved that as a condition of the Commission's approval, Sterling Suffolk, LLC is required to abide by all of the terms and conditions of its racing license issued by the Commission and the requirements of Mass. General Laws, 128A and 128C as amended or revised and any other laws applicable to horse racing in the Commonwealth now and in the future. Motion seconded by Commissioner Stebbins. Motion passed unanimously.

Commissioner Stebbins requested that Attorney Barnett provide him with a copy of the signed lease.

[10:30 a.m.](#) Ed Nowak, President of the Standardbred Owners of Massachusetts, requested to be reappointed as the organization which manages the breeding of Standardbred horses in Massachusetts and the racing of these horses in the Sire Stakes program. He provided a summary of a chart detailing numbers on horses and purses since receipt of the Race Horse Development Fund. He noted that the number of broodmares have increased from 65 in 2016 to 111 in 2017. He stated that they are a growing industry which means more business for farms, vets and blacksmiths; and people from around the country are taking notice. Dr. Alexandra Lightbown, Director of Racing, recommended that the Commission approve the request of the Standardbred Owners of Massachusetts.

[10:41 a.m.](#) *Commissioner Cameron moved that the Commission approve the request of the Standardbred Owners of Massachusetts to be recognized as the group of representative Standardbred Breeders to administer the Massachusetts Standardbred breeding program and Sire Stakes races in 2017. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

[10:42 a.m.](#) Dr. Lightbown provided a Racing Division update which included the following: installation of new computers for racing employees, meetings with the horsemen on medication issues, human resource orientation and ethics training scheduled for racing seasonal employees, a facility walkthrough will be conducted to determine readiness and safety, meetings with security officials and judges to go over expectations, licensing application overhaul, and changes in the health certificate requirements. Commissioner Cameron noted the growth and professionalism of the racing program under the leadership of Dr. Lightbown.

[10:45 a.m.](#) Steve O'Toole, Director of Racing at Plainridge Park Casino, noted that Dr. Lightbown's work on getting the health certificate change will help the horsemen avoid a cumbersome process. He also provided an overview of the 2017 racing meet which included the following: racing signage, 125 days of live racing, purses, handles, simulcasting, racing employees, horsemen licenses, promotions, events, player rewards, Hollywood Races, improvement projects, community business events, Pentafecta "Wicked Hi 5" promotion, MA State Lottery events, Yuengling sponsorships, and the Spirit of Massachusetts Trot which will be held on July 28th with a \$250,000 purse. Mr. O'Toole stated that the Spirit of Massachusetts Trot is a Grand Circuit event for the best open trotters in the country. He also provided a brief history of Grand Circuit events.

Dr. Lightbown stated that the Racing Division and horsemen will miss long-term racing employees Jeff Bothwell and Trooper Joe Sinkevich who are retiring. She

stated that it was a pleasure to work with them, they did an excellent job, and we wish them well.

11:15 a.m. The Commission took a short recess.

11:22 a.m. The meeting resumed.

Research and Responsible Gaming

See transcript pages 80-207

[11:22 a.m.](#) Dr. Rachel Volberg, Principal Investigator for the SEIGMA (Social and Economic Impacts of Gambling in Massachusetts), and Dr. Robert Williams, Co-Principal Investigator on the SEIGMA project, provided a summary on a deeper analysis of the Baseline General Population Survey published in 2015. Dr. Williams participated via telephone. Dr. Volberg stated that the peer review process from GRAC (Gaming Research Advisory Committee) and RDASC (Research Design and Analysis Subcommittee) resulted in a greater product. Dr. Volberg stated that a deeper analysis was conducted to identify predictors of gambling and problem gambling in Massachusetts and to inform problem gambling prevention, intervention, and treatment initiatives. Dr. Volberg provided an overview of the following: survey challenges, characteristics in multivariate models, characteristics that distinguish non-gamblers from recreational gamblers, variables that predict higher gambling involvement, variables that distinguish at-risk gamblers from recreational gamblers, characteristics of gambling formats, characteristics that distinguish problem/pathological gamblers from recreational gamblers, and predictors (demographic, health and gambling variables). Dr. Volberg stated that this information will be of great use in the development of problem gambling services in Massachusetts.

12:25 p.m. The Commission took a short recess.

12:29 p.m. The meeting resumed.

[12:29 p.m.](#) Director Mark Vander Linden stated that Wynn Boston Harbor and MGM Springfield will present an update on their planning, preparation and possible development of a responsible gaming platform (PlayMyWay) at their facilities and review of space for the GameSense information center.

[12:33 p.m.](#) Mike Mathis, President of MGM Springfield, presented on the location of the Problem Gaming Office (“PGO”) on the casino floor. He stated that the PGO will be located near the M Life desk area - a high traffic area and best location to interact with patrons. He stated that it will be approximately 370 square feet. Director Vander Linden stated that the requirements for a PGO (GameSense Center) include close proximity to the casino floor and a private location for sensitive conversations.

Mr. Mathis reported that they will implement GameSense corporate-wide, but they want to see the study on PlayMyWay at Plainridge Park Casino. He stated that they will talk to IGT (International Game Technology) regarding compatibility issues and they will do their due diligence. There was a discussion of the pros and cons of when to launch PlayMyWay. Mr. Mathis stated that it is risky to launch new software in a live environment. He also stated that they would prefer to voluntarily implement a program. Director Vander Linden noted that the workload was

significant in launching PlayMyWay at Plainridge Park Casino and a partnership is essential.

[12:54 p.m.](#) Robert DeSalvio, President of Wynn Boston Harbor, introduced Greg Dauenhauer, the Vice President/Chief Information Officer. Mr. DeSalvio reported that he met with IGT and PlayMyWay will require modification, but it will not affect the hardware or wiring. He stated that launching new software on opening day is not a good idea. He stated that based upon his personal experience, he doesn't believe that there is any software that can identify problem gamblers more than trained casino staff and their interactions with patrons. He also stated that the research on PlayMyWay may show unintended consequences.

Mr. DeSalvio provided an overview of the GameSense center on the casino floor. He stated that they picked a heavy traffic area and the center will include a private area and storage space. He reported that he will provide the square footage of the center to Chairman Crosby. Chairman Crosby inquired about an additional/mobile center due to the large facility. Mr. DeSalvio stated that a mobile cart may get in the way and it may be in conflict with fire standards. He stated that they could have a permanent area for GameSense and make information available in other areas of the casino. Chairman Crosby stated that this will be considered further.

[1:13 p.m.](#) Director Vander Linden reported that the Responsible Gaming Framework, adopted in 2015, is currently under review. He stated that he looks forward to getting comments from the Commissioners, our licensees, and stakeholders.

[1:14 p.m.](#) Commissioner Zuniga stated that he attended the "topping off" event at MGM Springfield. The event highlighted the last beam that was placed in the building. He stated that it was well attended by representatives, most notably the laborers. He noted that there were two teams of father-daughter laborers working on the site. A video was shown of the event.

Jacqui Krum, Senior Vice President and General Counsel of Wynn Resorts Development, reported that Wynn celebrated a milestone as the last bucket of 650,000 tons of soil was taken away from the Wynn Boston Harbor site. Mr. DeSalvio reported that he went to MGM National Harbor and it is an amazing property. He congratulated Mr. Mathis and the team.

[1:18 p.m.](#) Director Vander Linden stated that National Problem Gambling Awareness Month activities draw attention to issues around problem gambling, treatment and prevention services.

Marlene Warner, Executive Director of Massachusetts Council on Compulsive Gambling, reported on the Council's National Problem Gambling Awareness Month activities which included: visiting treatment centers, trainings, connecting with recovery centers, working with youth through the CAPS program (Curriculum for Activities Probability and Statistics), outreach to Veterans, and social media activities targeting youth and sports gambling during March Madness. Ms. Warner reported that casino employees are a high-risk group for problem gambling. She also reported on the GameSense activities for employees at Plainridge Park Casino which included prevention, product, GameSense and financial literacy information

disseminated through bulletin boards, bathroom stalls, newsletters, and games. Chairman Crosby thanked Lisa McKenney and Lance George for their partnership.

[1:29 p.m.](#) Director Vander Linden provided an update on a new media campaign, which was launched during National Problem Gambling Awareness Month. He stated that two weeks of data for online ad buys and social media showed an increase in traffic on the GameSense website and a successful ad campaign on Facebook. He stated that the videos posted on Facebook were viewed 5,213 times and the most successful static image message was “Don’t Chase Your Losses.” Mr. Vander Linden reported that GameSense was mentioned through several media outlets due to the efforts of Communications Director Elaine Driscoll. He also reported that the campaign ad buys will continue through the end of May.

Legal Division

See transcript pages 208-217

[1:36 p.m.](#) Deputy General Counsel Todd Grossman presented on amendments to 205 CMR 136.08, which eliminate the requirement to list on a gaming beverage license the names and contact information for managers and other principals. The licensees will still need to identify those individuals and present them to the Investigations and Enforcement Bureau. Paul Connelly, Director of Licensing, stated that frequent name changes would require reissuance of a license on a frequent basis. Deputy General Counsel Grossman stated that he will put the amendment out for informal public comment.

[1:40 p.m.](#) Deputy General Counsel Grossman presented on a new section to 205 CMR 143.02 – which set forth the guidelines for a gaming licensee to transfer a progressive jackpot.

Investigations and Enforcement Bureau

See transcript pages 217-220

[1:44 p.m.](#) Bruce Band, Assistant Director and Gaming Agents Division Chief, presented on the last set of game rules (13) for the Commission’s review, which included: Boston 5 Stud Poker, Double Cross Poker, Double Attack Blackjack, Four Card Poker, Texas Hold’em Bonus Poker, Flop Poker, Two Card Joker Poker, Asia Poker, Ultimate Texas Hold’em, Winner’s Pot Poker, Supreme Pai Gow, Mississippi Stud, and Casino War. He stated that they will be posted for informal public comment.

Commissioner’s Updates

See transcript pages 221-225

[1:47 p.m.](#) Chairman Crosby reported that he testified before the Marijuana Committee and brought forth the Commissioners comments. He also reported on the DFS Online Commission and stated that they had a fascinating speaker who was the owner of eSports teams. Commissioner Zuniga stated that he observed the meeting and the owner spoke about how eSports got started and the unintended by-product of “skins”, which created a secondary market.

Other Business Not Reasonably Anticipated

See transcript pages 225-226

1:52 p.m. *Having no further business, a motion to adjourn was made by Commissioner Cameron. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated March 30, 2017
2. Massachusetts Gaming Commission, Draft Meeting Minutes dated March 16, 2017
3. Letter from Attorney Bruce Barnett (DLA Piper) to the Massachusetts Gaming Commission, dated March 16, 2017 regarding Request for Approval of Sale of Suffolk Downs Racing Facility, with attachments
4. M.G.L. c. 128A, §11C - Sale of Ten Per Cent or More of Stock; Notice; Approval
5. Massachusetts Gaming Commission, Memorandum dated March 23, 2017 regarding Standardbred Owners of Massachusetts Recognition, with attachments
6. Plainridge Park Casino Racing PowerPoint Presentation
7. SEIGMA (Social and Economic Impacts of Gambling in Massachusetts), Predictors of Gambling & Problem Gambling in Massachusetts, Dr. Rachel Volberg and Dr. Robert Williams, dated March 30, 2017 (PowerPoint Presentation)
8. SEIGMA (Social and Economic Impacts of Gambling in Massachusetts), Gambling and Problem Gambling in Massachusetts: In-Depth Analysis of Predictors, dated March 23, 2017
9. Wynn Boston Harbor Casino Floor Plan/GameSense Information Center
10. Massachusetts Gaming Commission, Memorandum dated March 30, 2017 regarding Review of March 2017 Problem Gambling Awareness Month
11. Draft 205 CMR 136.08: Form of the Gaming Beverage License
12. Draft 205 CMR 143.02: Progressive Gaming Devices
13. Draft Table Games/Rules of the Games: Boston 5 Stud Poker, Double Cross Poker, Double Attack Blackjack, Four Card Poker, Texas Hold'em Bonus Poker, Flop Poker, Two Card Joker Poker, Asia Poker, Ultimate Texas Hold'em, Winner's Pot Poker, Supreme Pai Gow, Mississippi Stud, and Casino War.
14. MGM Springfield Floor Plan/New M Life Floor Plan

/s/ Catherine Blue
Catherine Blue, Assistant Secretary