



Meeting Minutes

Date/Time: March 6, 2014 – 9:30 a.m.

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

9:29 a.m. Chairman Crosby opened the 112th public meeting.

Approval of Minutes

See transcript pages 2-5.

9:30 a.m. Commissioner McHugh stated that the minutes for the January 28, January 29, February 6, February 18, and February 20 public meetings are ready for approval.

Motion made by Commissioner McHugh that the minutes of February 6, 2014 be accepted subject to any mechanical or typographical corrections that may later be made. Motion seconded by Commissioner Cameron. The motion passed unanimously.

Motion made by Commissioner McHugh that the minutes of February 20, 2014 be accepted subject to any mechanical or typographical corrections that may later be made. Motion seconded by Commissioner Cameron. The motion passed unanimously.

Motion made by Commissioner McHugh that the minutes of January 28, 2014, January 29, 2014, and February 18, 2014 be accepted subject to any mechanical or typographical corrections that may later be made. Motion seconded by Commissioner Cameron. The motion passed unanimously.

Administration

See transcript pages 5-67.

- 9:33 a.m. Executive Director Day provided an administrative update relative to license applications, a video guide for gaming employees, the MOU with State Police, recruitment of new employees, and the process for regulation promulgation.
- 9:43 a.m. Director Lennon provided an updated on Commission finances and internal operations.
- 10:04 a.m. Executive Director Day described the licensing schedule and highlighted the changes to the Region A schedule.
- 10:11 a.m. Ombudsman Ziemba presented the status of Region C and the Commission discussed methods for increasing competitiveness in the region.
- 10:35 a.m. Executive Director Day presented the final agenda for the Commission's Internet Gaming Forum.

RFA-2 Evaluation Process

See transcript pages 67-97.

- 10:38 a.m. Jennifer Pinck and Nancy Stack provided an overview of the Category 2 licensing process and the implications for Category 1 evaluations.
- 11:11 a.m. The Commission took a brief recess.

Gaming Technology

See transcript pages 97-127.

- 11:24 a.m. Director Glennon and Attorney Shtatnov provided an overview of the draft regulations for gaming devices and noted policy issues for Commission discussion at a future public meeting.

Surrounding Community Arbitration

See transcript pages 127-142.

- 11:57 a.m. The Commission discussed the arbitration process for surrounding communities.

12:14 p.m. *Motion made by Commissioner McHugh that the Commission adopt a provision for allowing the Commission to alter an arbitrator's award if in the Commission's judgment that award is fundamentally inconsistent with the provisions or purpose of General Laws Chapter 23K, and further that the arbitrator's handbook be modified by striking the final sentence of the portion of the handbook labeled final decision of the arbitrators. And replacing that final sentence with a sentence that reads, "the arbitrators may make adjustments to the selected best and final offer only if necessary to remove a direct conflict between a provision of the selected award and a provision of the Gaming Act." Motion seconded by Commissioner Cameron. The motion passed unanimously.*

12:16 p.m. The Commission took a recess for lunch.

Research and Problem Gaming

See transcript pages 142-205.

1:31 p.m. Director Vander Linden and Dr. Debi LaPlante discussed the efforts that Massachusetts has been taking to combat problem gaming.

1:42 p.m. Director Vander Linden and Marlene Warner discussed the Commission's responsible gaming framework.

1:58 p.m. Director Vander Linden and Deputy General Counsel Grossman presented the problem gaming voluntary self-exclusion regulations. The Commission discussed the public comments received and the changes made since the prior version of the regulations.

2:24 p.m. *Motion made by Commissioner Cameron that the Commission accept the draft of the voluntary self-exclusion regulations with whatever technical changes may be requested. Motion seconded by Commissioner Zuniga. The motion passed unanimously.*

2:25 p.m. Director Vander Linden provided an update on the current status of the research agenda.

Legal Division

See transcript pages 205-206

2:38 p.m. Chairman Crosby requested that the legal division provide the Commissioners with more information on the public records process.

Workforce Development and Diversity

See transcript pages 206-222.

2:40 p.m. Director Griffin discussed the Clean Energy Fair that occurred on February 2.

- 2:45 p.m. Director Griffin presented an overview of the diversity commitments from Penn National.
- 2:59 p.m. Chairman Crosby and Commissioner Cameron left the meeting.
- 3:00 p.m. The Commission took a brief recess.

Racing Division

See transcript pages 222-248.

- 3:05 p.m. Director Durenberger presented the unclaimed wagers from 2012 and requested that the Commission approve the payments to the Commission for deposit into the appropriate accounts.
- 3:06 p.m. *Motion made by Commissioner Zuniga to approve the payments for the 2012 unclaimed wagers. Motion seconded by Commissioner Stebbins. The motion passed 3-0.*
- 3:07 p.m. Director Durenberger presented Raynham Park's request to simulcast special events and recommended that the Commission approve the request.
- 3:08 p.m. *Motion made by Commissioner Stebbins that the Commission approve the list of 2014 special events to be simulcast at Raynham Park. Motion seconded by Commissioner Zuniga. The motion passed 3-0.*
- 3:08 p.m. Director Durenberger presented updates to the racing legislation and recommended approving the first two sections as outlined in the memo.
- 3:12 p.m. *Motion made by Commissioner Zuniga that the Commission forward to the Legislature recommendations relative to extension of Chapters 128A and C as outlined in the memo here labeled Section one and Section two. Motion seconded by Commissioner Stebbins. The motion passed 3-0.*
- 3:13 p.m. Director Durenberger presented emergency regulations affecting 205 CMR 3.00 and 4.00 relative to conflict of interest, access to records, and the cost of fingerprinting. The Commission requested additional information and agreed to postpone the discussion until March 20.
- 3:32 p.m. Meeting adjourned.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission March 6, 2014 Notice of Meeting and Agenda
2. Massachusetts Gaming Commission Minutes of February 18, 2014
3. Massachusetts Gaming Commission Minutes of February 20, 2014
4. Massachusetts Gaming Commission February 28, 2014 Licensing Schedule Update

5. Category 1 and 2 Applicant Timelines
6. Massachusetts Gaming Commission March 11, 2014 Internet Gaming Forum Agenda
7. Massachusetts Gaming Commission March 4, 2014 Memorandum Regarding Surrounding Community Arbitration Process
8. Massachusetts Gaming Commission March 6, 2014 Division of Racing Memorandum Regarding Outstanding Tickets
9. Massachusetts Gaming Commission March 6, 2014 Division of Racing Memorandum Regarding Approval of Special Events to be Simulcast at Raynham Park
10. Massachusetts Gaming Commission March 6, 2014 Division of Racing Memorandum Regarding Proposed Extension of Existing Chapters 128A and 128C
11. Massachusetts Gaming Commission March 6, 2014 Division of Racing Memorandum Regarding Emergency Regulation Changes Affecting 205 CMR 3.00 and 4.00
12. Cambridge Health Alliance document
13. 205 CMR 133 Voluntary Self-Exclusion Regulation
14. Responsible Gaming Framework
15. Clean Energy Expo Agenda
16. 205 CMR 138 Gaming Devices and Electronic Gaming Equipment Regulation

/s/ Catherine Blue
Catherine Blue
Assistant Secretary