



Meeting Minutes

Date: March 21, 2013

Time: 4:00 p.m.

Place: Bristol Community College
Commonwealth College Center
777 Elsbree Street
Fall River, Massachusetts

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

Absent: None

Call to Order:

Chairman Crosby opened the 59th public meeting.

He introduced Dr. John Sbrega, President of Bristol Community College, and thanked him for hosting this meeting. Dr. Sbrega welcomed the Commission and briefly provided background information about the college.

Approval of Minutes:

See transcript pages 3-4.

Commissioner McHugh stated that the minutes for February 28, 2013 are ready for approval.

Motion made by Commissioner McHugh to approve the minutes. Motion seconded by Commissioner Zuniga. The motion passed unanimously by a 5-0-0 vote.

Public Education and Information:

See transcript pages 4-8.

Report from the Ombudsman: Ombudsman Ziemba stated that he has reached out to nine of the eleven existing applicants to determine whether they will be interested in utilizing the assistance of the regional planning agencies and has asked that they respond within a week. Chairman

Crosby stated that he received a call from the director of a regional planning agency who was under the impression that if a surrounding community or potential surrounding community does not participate in the RPA process, then that community would not have access to any monies to help it assess mitigation or negotiate with the developer. Mr. Ziembra indicated that this understanding is incorrect. The RPA process is voluntary for applicants as well as communities and they can choose among many different avenues for assistance.

Regulation Update:

See transcript pages 8-11.

Regulation Update – Commissioner McHugh stated that the Commission is in the final stages of writing the regulations for a formal approval process. He stated that the Commission will conduct a final review of the draft regulations at Monday’s public meeting. At the meeting the Commission will discuss the evaluation criteria and the process for receiving applications. He stated that the Commission will hold a public hearing on the regulations and set aside a period for public comment. The Commission will make final adjustments to the regulations, with a goal of promulgating the final version no later than June 7, 2013.

Research Agenda:

See transcript pages 11-28.

Chairman Crosby stated that the legislation mandates that the Commission conduct a comprehensive research project on the socioeconomic impacts of introducing expanded gaming into the Commonwealth. The research project would include a comprehensive baseline study of the preexisting conditions before the casinos or slot parlors open and another study after they open. He stated that the Commission conducted an RFP process to determine a vendor who could perform the studies and he asked Commissioner Zuniga to provide an update.

Commissioner Zuniga stated that the Commission received four thoughtful responses to the RFP and narrowed those four finalists down to two. He stated that the procurement team struggled at deciding between the finalists because they are both very capable. He stated that the procurement team is currently split in its recommendation. Chairman Crosby stated that one bidder, Cambridge Health Alliance, wanted to perform a baseline study of 6,000 people and study those people forever, even if they moved out of Massachusetts. The second group, headquartered at University of Massachusetts Amherst, proposed using a 17,000 person sample and would take a snapshot of those people, representing the whole population of Massachusetts. Every few years that proposal would aggregate data on a new sample so that researchers could study what happened to a larger community, not what happened to a cohort of people. Commissioner Zuniga stated that the former study would cost \$1.2 million more to conduct.

Commissioner McHugh recommended that the Commission invite presentations by the two finalists so that the Commission has an opportunity to learn more about their proposals and ask questions. Commissioner Zuniga agreed with this recommendation. Chairman Crosby stated that these proposals are complicated and the project management team spent hours discussing the proposals with two experts in research and problem gaming and they could not come to a

decision without the help of an outside consultant. He expressed concern that a presentation would not provide an opportunity to get to the level of depth and analysis that is required to make this determination. He stated that the Commission could make a better judgment with the help of outside consultants. Commissioner Cameron stated that she agrees with Chairman Crosby's recommendation. Commissioner Stebbins recommended asking UMass to come in and make a recommendation to the full Commission prior to negotiating a contract, mirroring the process the Commission has been using for hiring in which the final candidate comes before the Commission for questions. The Commission agreed with this recommendation.

Motion made by Commissioner Zuniga that the Commission authorize him to begin the process of further refining the scope of work and undertake contract negotiation with a team of UMass Amherst as part of the response to the research RFP, subject to their further presentation about scope to this Commission. Motion seconded by Commissioner Stebbins. The motion passed unanimously by a 5-0-0 vote.

Region C Discussion:

See transcript pages 28-157.

Chairman Crosby stated that the Commission is committed to a process that is participatory, transparent, and fair. He stated that the Commission is facing a situation in Region C that has conflicting interests, but the legislation has given the Commission some tools to reconcile those interests. He stated that the Commission knows that parties have strong interests, strong rights, strong economic impacts, and strong emotions on many sides of this issue and is taking this decision very seriously. He stated that interested parties can still submit comments on the Commission's website at any time and the Commission has already provided an opportunity for public officials to sign up to speak at this meeting. He stated that the Commission has scheduled fifteen speakers to speak for 10 minutes each.

Cedric Cromwell, Tribal Council Chair, Mashpee Wampanoag Tribe

See transcript pages 30-40.

Chairman Cromwell provided background information on the Wampanoag Tribe and its rights under Federal law. He stated that the Tribe has the right to pursue gaming as an economic development tool and the Commonwealth fully recognized these rights with the passage of the Expanded Gaming Act. He stated that the Commission does not need to open Region C for commercial gaming license applications because the Tribe's project is on track and it has made historic and swift progress toward taking land in trust. He stated that the Tribe is years ahead of any other project in the Commonwealth and is poised to bring thousands of jobs and hundreds of millions of dollars in economic growth to Southeastern Massachusetts in the very near future. He stated that the Tribe expects that the Department of Interior will take its land into trust this year and will have shovels in the ground by this time next year. Opening of a gaming facility is scheduled for early 2015.

Chairman Cromwell stated that he and Governor Patrick signed a new compact this week, which the Governor will send to the Legislature for approval. He expects to receive speedy approval

from the Legislature and the Department of Interior. He believes that it would be unwise for the Commission to accept applications and nonrefundable \$400,000 fees from commercial applicants to Region C. He stated that the legislation states that the Commission may not award a commercial license in Region C unless it is determined that the Secretary of the Department of Interior shall not take the Tribe's land into trust. He stated that if the Tribe is unsuccessful in its plans to build and operate a casino under the compact, the Tribe will still build and operate a Class 2 Indian gaming casino in Taunton and will not pay any revenue to the Commonwealth. However, the Tribe has chosen to negotiate a compact in good faith with Governor Patrick because it wishes to be partners with the Commonwealth.

Commissioner McHugh stated that he spoke to Secretary Washburn today, as it is the Commission's obligation to reach out to all participants in this forum. Secretary Washburn said that the Bureau of Indian Affairs has provided both the Commonwealth and the Tribe substantial technical assistance and it is the Bureau's policy not to reject compacts if possible. He said that the Solicitor's office is currently looking at the Carcieri issue, which stems from the Supreme Court decision saying that the federal government cannot take land into trust unless the tribe was under federal jurisdiction in 1934, when the relevant statute was passed. Mr. Washburn also stated that the land in trust issue is proceeding and the environmental process is ongoing, but he was unable to give an estimate as to when the processes would conclude.

Representative Robert Koczera, 11th Bristol District

See transcript pages 40-48.

Representative Koczera stated that the Commission should vote today on whether or not to issue a request for applications for a commercial casino license in Region C. He stated that delay in issuing a Category 1 license in Region C is costing the Commonwealth revenue and the region jobs. He stated that the timeframe noted in Chapter 194 of the Acts of 2011 for Indian gaming preference in Massachusetts has passed, the Department of the Interior rejected the compact, and the Tribe faces insurmountable obstacles to getting land placed in trust due to the 2009 Carcieri Supreme Court decision. He stated that the Mashpee Wampanoag Tribe did not receive federal recognition until 2007. He stated that the Commission must act to ensure that Region C will derive the same benefits from casino gaming as the other two regions of the Commonwealth. He emphasized that the legislation clearly calls for three regional destination resort casinos and the Commission should not disadvantage Region C in the service of good intentions. He stated that the Commission could not reasonably expect a timely resolution to the land in trust issue and urged the Commission to take action today.

Chairman Crosby clarified that the Commission will not vote on the Region C issue today, as the purpose of this meeting is to listen, take the comments under advisement, and vote at a subsequent meeting in the coming weeks.

Representative Keiko Orrall, 12th Bristol District

See transcript pages 48-55.

Representative Orrall stated that she represents the district that includes the proposed tribal casino. She stated that the communities in this district continue to be concerned about mitigation funds for towns surrounding the tribal casino proposed for Taunton. The renegotiated compact includes mitigation for surrounding communities, but the communities have not determined whether this amount will be sufficient to meet their need. She stated that it is not clear to her how the Commission will make its determination as to which communities will receive mitigation assistance or the extent of the assistance the Commission will authorize. She stated that since the Commission's December 4, 2012 meeting, the Tribe has only addressed one of the concerns raised at that meeting by Commissioner McHugh and the Legislature has not yet approved the compact. She expressed concern about the Tribe's ability to get land in trust. She stated that the Secretary of the Interior does not have the authority to take land into trust for any tribe not recognized and under federal jurisdiction in 1934. Current federal law does not allow this tribe to have any land in trust.

Chairman Crosby stated that that the Legislature was very respectful of the rights of surrounding communities and set up resources for them and the Commission. However, these resources do not exist at present for a tribal casino. Commissioner McHugh stated that the federal government put in place safeguards for surrounding communities under the NEPA process, although these safeguards may not be as strong as the safeguards for communities surrounding a proposed commercial gaming establishment.

Representative Alan Silvia, 7th Bristol District

See transcript pages 55-60.

Representative Silvia stated that over the years the residents of Fall River and the south coast have strongly supported several ballot initiatives favoring the establishment of casino gaming, and since the early 1980's they have been told that a tribal casino was right around the corner. He stated that it is incredibly disheartening and unfair that while other regions of the Commonwealth finally get to benefit from casino gaming, the one region pursuing it for thirty years is pushed to the side. He stated that the Commission should not provide the residents of Fall River less opportunity than provided to other regions. He stated that by the time the courts review the land in trust issue and arrive at what is an obvious conclusion based on precedent, many years will pass and gaming facilities in other areas of the Commonwealth will be well established, generating millions in tax revenue and creating thousands of jobs, while Region C will still be told that gaming is just around the corner.

He stated that his district has the highest unemployment rate in the Commonwealth and a commercial gaming license in Region C starts the process of creating the economic environment that generates jobs. He stated that taxing one group less than 25% of that which every other commercial gaming entity has to pay is not okay. He stated that the notion that you cannot have two casinos, a commercial and tribal, in the same region is complete nonsense, as the gaming customer will patronize the facility with the best value, entertainment, and experience. He asked that the Commission open Region C to a commercial gaming license process now and provide the people in the entire south coast area the same benefits given to the rest of the Commonwealth: an equal process to pursue a commercial gaming license and jobs for the people.

Representative Shauna O'Connell, 3rd Bristol District

See transcript pages 60-66.

Representative O'Connell stated that at the hearing in December the Commission correctly delayed a decision on whether to open up the bidding process in order to give the Tribe time to make adequate progress. She stated that the Expanded Gaming Act recognizes and protects the federal rights of the Tribe to conduct gaming in southeastern Massachusetts and it is the Commission's obligation to follow that law. She stated that the Tribe continues to make progress and meet the requirements of that legislation in a timely manner and is on track to open their destination resort casino sooner than the opening of any casino by a commercial developer. She stated that the economic benefits are numerous for Taunton as well as the surrounding communities. The casino will employ over 2500 people with good paying jobs, averaging about \$35,000 a year with benefits. She stated that the Commission should allow the Tribe to continue along its process as the Expanded Gaming Act envisioned, ensuring that there is one successful casino in Region C and that casino opens in a timely manner.

Commissioner McHugh stated that one of the things that divides Representative O'Connell and her colleagues is not the desirability of the tribal casino but how likely it is to arrive and how long everyone will have to wait to figure out whether the Tribe will be able to build the casino. He asked her if she had a recommendation on how long the Commission should wait. Representative O'Connell stated that as long as the Tribe is making progress, the Commission should allow the progress to move forward. She stated that she wants one successful casino in this region, not two.

Representative Antonio Cabral, 13th Bristol District

See transcript pages 66-73.

Representative Cabral urged the Commission to act today to allow Region C potential bidders to join the RFA-1 process currently underway in Regions A and B and to consider proposals from across Massachusetts equally. He stated that the Legislature crafted the Expanded Gaming Act to allow a tribe a very brief window to explore the opportunity for casino development. It did so recognizing the substantial hurdles any tribe would face in receiving federal approval to build a casino on nontribal land and understanding the importance placed on ensuring that Region C has equal opportunity to explore casino development. He stated that it is unlikely that the tribal applicant could justify any other reading of the Gaming Act and it would be irresponsible to drag out his process any longer. He stated that the only tribal candidate in Massachusetts is really a Malaysian investment group that is financing the efforts of the Mashpee Wampanoag Tribe.

Representative Cabral stated that the Legislature is about to begin its annual budget process, potentially leading to many months of delay before it considers this revised compact. He expressed concern with the Tribe's ability to take land into trust. He stated that the residents of New Bedford have twice voted to express their desire for casino development and the Legislature passed the Act because it expected that economic development would quickly follow. He urged the Commission to allow his region to join the rest of the Commonwealth to investigate casino

development opportunities. He stated that if at some point in the future the Tribe does have land in federal trust, it is still able to build its casino and deal with the marketplace and free enterprise.

Hon. William Flanagan, Mayor of Fall River

See pages 73-78.

Mayor Flanagan strongly urged the Commission to end the exclusive rights of the Mashpee Wampanoag in Region C. He stated that the longer the Tribe has exclusivity to a gaming license in Region C the less likely there will be a casino opening in this region. He stated that he believes that the Legislature will approve the compact, but the current draft of the compact effectively prohibits a commercial casino from opening in Region C, because if it does, the Tribe will not have to provide any revenue to the Commonwealth. He stated that the compact also significantly diminishes the opportunity for a racino in Southeastern Massachusetts because of the lower percentage of profits that the Tribe would have to give to the Commonwealth. He expressed concern with the Tribe's ability to take land into trust. He stated that he was an advocate for the gaming legislation because it was a jobs bill. He stated that by opening up Region C to commercial applications the Commission will not only create competition, but will also increase the likelihood of a developer in this region putting a shovel in the ground to construct a casino and prevent leaving behind the people of the region.

Hon. Tom Hoye, Mayor of Taunton

See transcript pages 78-88.

Mayor Hoye stated that one year ago the City of Taunton and the Mashpee Wampanoag Tribe announced that they were commencing discussions about the possibility of developing a casino in Taunton that would bring much needed jobs, development, and economic opportunity. He stated that they knew that developing a Tribal casino would be difficult given the significant number of steps that the Governor and Tribe had to complete under the Expanded Gaming Act. The Expanded Gaming Act gave the Governor and the Tribe until July 31, 2012, to secure all necessary land, enter into a mutually agreed upon compact, obtain a general court's approval of the compact, enter into an intergovernmental agreement between the Tribe and the City, and obtain approval of both the City Council and residents by way of a referendum. He stated that the Governor accomplished all these steps on time in a true partnership with tribal leadership. He stated that the land in trust process is complex and cumbersome and the Tribe is making substantial progress. The Commission has no evidence before it that could lead it to conclude that the Tribe will not have its land taken into trust. He respectfully requested that the Commission not commence the process of soliciting bids for commercial casinos in Region C.

A brief recess was taken.

Chairman Crosby reconvened the 59th public meeting.

Senator Marc Pacheco

See transcript pages 88-97.

Senator Pacheco stated that he has represented Region C for 25 years and at his very first meeting as a House member, the members discussed the possibility of expanded gaming in the Commonwealth. He stated that the legislature put its trust in the Commission that whatever the Commission determines is not only in the best interest of the region, but also in the best interest of the Commonwealth as a whole. He stated that under the compact, if both a commercial and tribal casino open in the region the state will not receive any additional tax revenue from the Tribe. He asked the Commission to give this issue due time and consideration before moving down the road. He stated that if the Legislature wanted to put a time certain in the legislation it would have done so. He stated that the legislative intent was to create jobs. He stated that prior to the recession the southeast region was the fastest growing region in the northeast part of the United States, and as the economy recovers he predicts that the tribal casino will bring more money to the state than a commercial casino in western Massachusetts will bring.

Chairman Crosby asked that Senator Pacheco provide feedback from the Legislature on this situation when they are reviewing the compact.

David Alves, Councilor At-Large, City of New Bedford

See transcript pages 97-105.

Councilor Alves stated that present with him is Councilor Joseph Lopes. He stated that he is Chairman of the city's gaming committee and has been a city councilor for 20 years. He stated that he is here to seek support for opening the region to commercial bidders. He stated that he intends no disrespect to the Tribe and supported the first major effort in the Commonwealth to introduce tribal gaming. He stated that he is here for the opportunity to fight for economic and employment opportunities in his community. He requested that the Commission not lock his community, or any community in Region C, out of the opportunity to open fair competition to apply for a license. He pointed out that some have stated that no developer would want to apply for a casino in Region C knowing that the Tribe may open a competing casino. However, he is aware of a developer who is interested in the region and has already spent over \$5 million in studies. He stated that the Governor is committed to providing the Tribe with an opportunity. Many people are also committed to ensuring that the opportunity is not restricted, limited, or discriminatory, but rather open, above board and fair for everyone. He asked the Commission to open Region C to all applicants, as the fate of his community's employment and economic development opportunities, and those of other cities and towns in Region C, are in the Commission's hands.

Allin Frawley, Vice Chairman Middleborough Board of Selectmen

See pages 105-114.

Selectman Frawley stated that he is here to ask the Commission to consider opening Region C to commercial bids in a parallel track with the Tribe for a gaming license. He stated that Middleborough has been dealing with the issue of tribal gaming for over six years, longer than any other municipality in the state. He stated that the town has learned quite a bit about this

Tribe and tribal gaming on a local, state, and federal level. He stated that in 2007 Middleborough negotiated an intergovernmental agreement with the Tribe and passed a local referendum vote in support of a tribal casino by almost 2:1. In the fall of 2007 the Tribe submitted its first land into trust application to the BIA, and in a notice dated January 19, 2012, the BIA returned the application as incomplete and no longer under consideration. He stated that the Tribe never notified its tribal members of that decision, nor did it notify the Town of Middleborough.

He stated that as of June 1, 1934 the federal government had not officially recognized the Mashpee Wampanoag Tribe as being under federal jurisdiction. He read a letter from the Department of Interior on the case of the Mashpee Wampanoag versus New Seabury Corporation for the return of their native lands dated October 2, 1937. He stated that no federal public lands exist in the original thirteen colonies and the Department of the Interior could not establish otherwise. He expressed concern that the Tribe is excluding surrounding communities from the tribal casino process and stated that, in the negotiation of the first and second state tribal compact, the Tribe did not contact a single community regarding the potential impacts.

Selectman Frawley stated that, in reading the Commission's mission statement, he is confused at how communities surrounding the Tribe's proposed casino have fewer protections than communities surrounding a proposed commercial casino have. He expressed concern that the tribal casino enterprise will not go through any of the background checks that the Commission requires of other applicants. He asked that the Commission consider the numerous hurdles that this Tribe will face in its pursuit, the significant risk of the land in trust acquisition failing, and the possibility that any tribal casino be encumbered by numerous, valid, and time-consuming lawsuits. He stated that this Tribe, eight months after the initial deadline, does not have a valid state tribal compact and is no closer to receiving land in trust today than it was in January 2012.

Kerri Babin, President & CEO of the Taunton Area Chamber

See transcript pages 114-115.

Ms. Babin stated that she is here to advocate for what the proposed casino projects would bring to the region. The Chamber believes that regardless of whether a casino in Region C is tribal or commercial, it will bring much needed jobs. She stated that when considering all proposals the Chamber hopes that the Commission considers the benefits not only to the host community, but also to the surrounding communities. She stated that job creation must be in the forefront of any proposal and the greatest consideration in the decision to award a license.

Marsha Sajer, Attorney Representing KG Urban

See transcript pages 115-127.

Ms. Sajer stated that she has great experience in tribal gaming and land in trust, and her role is typically to advise state governments on these issues. She provided background information on the Constitution as it pertains to tribes. She stated that tribal gaming is not commercial gaming, but rather government gaming that serves as an economic engine to allow the tribal government to support the tribe. She provided detailed background information on the Supreme Court's

Carcieri decision in 2009. She stated that moving forward the Tribe must first overcome a Carcieri hurdle and then pass the NEPA process, which has been running for six years or more. She stated that all the progress that the Tribe has made thus far, including the compact, is without legal effect until and unless the Tribe can get land in trust.

Ms. Sajer stated that KG Urban recognizes that a commercial license in Region C is very valuable. She cited studies that anticipate revenues of about \$600 million annually. She stated that by keeping this region open in the hope that a Tribe may one day build on land that is not now, nor may ever be, Indian land the Commission is imposing a burden on a region that is most in need of economic development. She stated that holding the region open amounts to a loss to the Commonwealth of \$150 million a year, or \$1.5 billion over ten years. She asked on behalf of her client that the Commission open Region C to commercial bidding.

Elias Patoucheas, President of Claremont Corp.

See transcript pages 127-130.

Mr. Patoucheas stated that he is president of a 45-year-old family owned real estate investment company headquartered in Southeastern Massachusetts. He stated that he is here to support competition for commercial gaming in Southeastern Massachusetts. He stated that the obstacles facing the Tribe's land in trust application are insurmountable, and the Commission could wait years before knowing for sure whether the Tribe is able to build a casino. He stated that Southeastern Massachusetts needs the economic stimulus and jobs today. He was concerned that Region C is falling behind while the rest of the state has the opportunity to prosper from commercial gaming. He stated that he has spoken to many of the top gaming companies in the country who are interested in this region but are reluctant to take action until the Commission opens the region to commercial gaming. He stated that the region will benefit from competition in this region.

Chairman Crosby asked if the companies with which Mr. Patoucheas has spoken were concerned with the possibility of having a tribal casino in the same region that would not be subject to the 25% tax burden on Commercial applicants. Mr. Patoucheas stated that gaming is all about risk and these companies are aware of the length of time it will take to get land into trust and are not concerned.

Michelle Littlefield, Chair of Preserve Taunton's Future

See transcript pages 130-143.

Ms. Littlefield stated that she appreciates the transparent and open process that the Commission has provided and she wishes that the political process her community faced a year ago with this Tribe were as transparent. She stated that 32 states, including Massachusetts, signed onto an amicus brief that supported the Carcieri decision, and that is why a Carcieri fix will never pass through the federal legislature. She noted that she is disappointed that the elected officials for Taunton and the Tribe felt the need leave immediately after present their point of view. She stated that others represented that the vote in Taunton passed overwhelmingly. She stated that

the proposed location for this casino, Ward 4, voted overwhelmingly against the project, as did Ward 3.

Ms. Littlefield pointed out that the Tribe's land in trust application is incomplete, as the Federal Register does not list the land as being in trust. She stated that the Tribe has applied for dual reservation status, for land in Taunton and Mashpee, a status that the BIA has never approved. She stated that her organization has retained an attorney and conducted extensive research supporting their opinion that this Tribe does not qualify for land in trust. She read aloud a letter prepared by their attorney, Adam Bond. She stated that the best course of action for the Commission to take at this point regarding Region C would be to bet on a commercial casino, having a 25% tax on gaming revenues and significant community mitigation and regulatory oversight, and let the chips fall where they may with the Tribe.

Thomas Flaherty, Vice President of Sprague Operating Resources

See transcript pages 143-149.

Mr. Flaherty stated that his company is headquartered in Portsmouth, New Hampshire, and owns the property in New Bedford where KG Urban Enterprises intends to construct a gaming facility if it receives a gaming license. He stated that they began to work with KG Urban on this site in 2007 and he provided information on what work completed since that time. He stated that the appeal of the site is its natural beauty and majestic view of the waterfront. He stated that a gaming facility would provide thousands of jobs to the region. He stated that construction on this site could begin very quickly if the Commission grants a commercial license.

Stephen Carroll, Real Estate Manager NSTAR

See transcript pages 149-154.

Mr. Carroll described the history of the site on which KG Urban would like to build. He stated that KG Urban has done all the due diligence on this site and its level of detail and effort is impressive. He stated that NSTAR still needs a location in New Bedford so KG Urban has secured another site for it. He stated that his intention today was to address the readiness and ability of KG Urban to pursue a license in Region C.

David Fenton, Business Manager, Electricians Union Hall

See transcript pages 154-156.

Mr. Fenton stated that he is here to say, "let's get this process going." He stated that the Tribe is on the cusp of overcoming all hurdles to construction and it hopes that the Commission will keep this process going to create jobs.

Chairman Crosby stated that the huge data point is the timing. He stated that the legislative intent was to give the Tribe a chance but not let this process go on forever. The Commission has an important decision to make. He thanked everyone for their participation.

Motion made to adjourn, motion seconded and carried unanimously.

List of Documents and Other Items Used at the Meeting

1. Massachusetts Gaming Commission March 21, 2013 Notice of Meeting and Agenda
2. February 28, 2013 Massachusetts Gaming Commission Minutes
3. March 20, 2013 Memorandum Regarding Recommendation Regarding Research Agenda Responses
4. List of Speakers for March 21, 2013 Public Meeting #59
5. Support for Speaker Requests
6. List of Public Written Comments
7. Public Written Comments

/s/ James F. McHugh
James F. McHugh
Secretary