



Meeting Minutes

Date/Time: May 15, 2014 – 10:30 a.m.

Place: Hynes Convention Center
900 Boylston Street, Room 311
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.

10:31 a.m. Chairman Crosby called to order the 121st public meeting.

Approval of Minutes

See transcript pages 2-6.

10:32 a.m. Commissioner McHugh stated that the minutes for May 1, May 2, and May 8 are ready for approval.

Motion made by Commissioner McHugh that the minutes of May 1, 2014 be accepted subject to the addition discussed and any mechanical or typographical corrections that may later be made. Motion seconded by Commissioner Zuniga. The motion passed unanimously.

Motion made by Commissioner McHugh that the minutes of May 2, 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 May 8, 2014 be accepted subject to the correction discussed and any mechanical or typographical corrections that may later be made. Motion seconded by Commissioner Stebbins. The motion passed unanimously.

Workforce Development and Diversity

See transcript pages 6-48.

- 10:36 a.m. Director Griffin, along with Karen Bailey, Jack Rauen, Emil Giordano, Lance George, and Jeff Morris, on behalf of Penn National and Turner Construction, presented the revised Diversity Plan for Plainridge Park Casino and responded to the Commission's questions. General Counsel Blue presented the status of the legal department's research on enforcement penalties.
- 11:02 a.m. *Motion made by Commissioner Stebbins that the Commission give final approval to the Plainridge Park Diversity Plan as presented with the recommended changes presented today and the additions recommended by Commissioner Zuniga. Motion seconded by Commissioner Cameron. The motion passed unanimously.*
- 11:03 a.m. Director Griffin and Deputy General Counsel Grossman presented the updated version of the Commission's draft regulations relative to gaming schools and requested approval to begin the process of promulgation.
- 11:25 a.m. *Motion made by Commissioner Stebbins that the Commission approve the draft regulations of 205 CMR 137 relative to gaming schools to begin the formal promulgation process with the small business impact statement presented to the Commission in two weeks. Motion seconded by Commissioner Cameron. The motion passed unanimously.*

Research and Problem Gambling

See transcript pages 48-70.

- 11:27 a.m. Director Vander Linden presented an update on the responsible gaming framework and the public comments received. Director Vander Linden discussed his recommendations for changes to the framework and asked that the Commission seek further public comment on several additional questions.
- 11:52 a.m. The Commission took a brief recess.

Administration

See transcript pages 70-116.

- 12:01 p.m. Executive Director Day provided an administrative update relative to hiring, internal policies, and the licensing management system.

- 12:03 p.m. Executive Director Day and Jennifer Pinck provided an update relative to the construction monitoring process and responded to the Commission's questions.
- 12:28 p.m. Executive Director Day requested that the Commission approve the filing of the assessment, arbitration, and voluntary self-exclusion regulations with the Secretary of the Commonwealth and discussed the comments received on the self-exclusion regulations.
- 12:51 p.m. *Motion made by Commissioner McHugh that the Commission approve the regulations and small business impact statement as contained in the packet, with the corrections discussed, for filing with the Secretary of the Commonwealth. Motion seconded by Commissioner Cameron. The motion passed unanimously.*
- 12:52 p.m. Executive Director Day presented Director Durenberger's approval of the Suffolk Downs request to cancel two racing days.
- 12:53 p.m. Chairman Crosby left the meeting. The Commission took a recess for lunch.

Region A

See transcript pages 116-145.

- 1:50 p.m. General Counsel Blue presented the draft written decision relative to the premises of the proposed gaming establishments of Mohegan Sun Massachusetts and Wynn MA.
- 1:53 p.m. *Motion made by Commissioner Zuniga that the Commission approve the decision as drafted and presented here today relative to the determination of the premises proposed by Mohegan Sun Massachusetts and Wynn MA. Motion seconded by Commissioner Cameron. The motion passed unanimously by a 4-0 vote.*
- 1:55 p.m. Ombudsman Ziemba introduced the issue of designating the City of Boston as a surrounding community and described the procedures in the surrounding community negotiation process.
- 1:58 p.m. *Motion made by Commissioner Cameron to designate the City of Boston as a surrounding community to the applications of both Mohegan Sun Massachusetts and Wynn MA. Motion seconded by Commissioner Stebbins. The motion passed unanimously by a 4-0 vote.*
- 2:00 p.m. Ombudsman Ziemba presented the updated schedule for Region A.
- 2:08 p.m. Commissioner McHugh introduced the need to develop a process for decision making in Region A and the Commission agreed to discuss proposals at the following public meeting.

- 2:13 p.m. Commissioner McHugh introduced a request from a representative of the American Institute of Architects to present his comments on the design aspects of gaming establishments. The Commission agreed to allow the representative to speak at a future public meeting.
- 2:19 p.m. General Counsel Blue described the divestiture trust for Caesars and recommended approval of the trust and trustee subject to the trustee completing suitability.
- 2:23 p.m. *Motion made by Commissioner Zuniga that the Commission approve the Caesars divestiture trust and the appointment of Stephen Oleskey as the trustee subject to the successful completion of the background investigation. Motion seconded by Commissioner Cameron. The motion passed unanimously by a 4-0 vote.*
- 2:24 p.m. Meeting adjourned.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission May 15, 2014 Notice of Meeting and Agenda
2. Massachusetts Gaming Commission May 1, 2014 Meeting Minutes
3. Massachusetts Gaming Commission May 2, 2014 Meeting Minutes
4. Massachusetts Gaming Commission May 8, 2014 Meeting Minutes
5. Diversity Plan for the Design and Construction Phase of Plainridge Park Casino
6. DRAFT 205 CMR 137
7. Massachusetts Gaming Commission May 15, 2014 Memorandum Regarding Response to Commentary on the Draft Responsible Gambling Framework and Attachments
8. Massachusetts Gaming Commission Oversight Project Manager Update – May 12, 2014
9. OPM Report Template
10. Amended Small Business Impact Statement (amended 205 CMR 118.06, 121 and 125.01) and (205 CMR 133)
11. DRAFT 205 CMR 133 with Penn Comments
12. Suffolk Downs May 9, 2014 Request
13. Massachusetts Gaming Commission May 20, 2014 Memorandum Regarding Request to Cancel Live Racing on May 20 and May 27, 2014
14. Massachusetts Gaming Commission May 13, 2014 Memorandum Regarding Post-time Changes at Suffolk Downs
15. Massachusetts Gaming Commission Decision Regarding the Determination of Premises of the Gaming Establishment for Mohegan Sun MA, LLC and Wynn MA, LLC
16. Massachusetts Gaming Commission May 15, 2014 Memorandum Regarding Sterling Suffolk Racecourse, LLC-Caesars Divestiture Trust

/s/ Catherine Blue
Catherine Blue
Assistant Secretary