



Meeting Minutes

Date/Time: July 23, 2015 – 10:30 a.m.

Place: Hynes Convention Center
900 Boylston Street – Room 103
Boston, Massachusetts

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

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

Call to Order

See transcript page 2

[10:30 a.m.](#) Chairman Crosby called to order the 158th Commission Meeting.

Approval of the Minutes

See transcript pages 2-3

[10:30 a.m.](#) *Commissioner McHugh moved for the approval of the July 9, 2015 minutes with reservation of power to change mechanical and typographical errors. Chairman Crosby noted that the language should be checked at entry 11:26 a.m. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

Racing Division

See transcript pages 3-77

[10:31 a.m.](#) Dr. Alexandra Lightbown, Interim Director of Racing, provided an update on the Suffolk Downs racing application which included a recommendation to approve the three day meet with conditions.

- [10:46 a.m.](#) Chip Tuttle, Chief Operating Officer for Suffolk Downs, provided clarification on purse account allocation and information on his conversation with the Stronach Group and their interest to lease facility.
- [10:56 a.m.](#) Trainer Bill Lagorio provided information on his conversations with the Stronach Group.
- [11:22 a.m.](#) Commissioner Cameron suggested that the Stronach Group option should be further investigated and the license application tabled for two weeks.
- [11:27 a.m.](#) General Counsel Catherine Blue provided clarification on the criteria in statute 128A.
- [11:42 a.m.](#) *Commissioner Cameron moved that the Commission table the Suffolk Downs racing application for two weeks. Motion seconded by Commissioner Zuniga. Commissioner McHugh stated that he did not think anything of utility would happen in two weeks. Commissioner Stebbins asked for clarification on the two week delay. Commissioner Cameron stated that it is an opportunity to explore a lease option with a viable company. (Mr. Tuttle noted that a two week delay would require Suffolk Downs to amend their dates.) Commissioner McHugh voted no. All other Commissioners voted yes. The motion passed four to one.*
- [11:45 a.m.](#) The Commissioners took a short recess.
- [12:08 p.m.](#) The meeting resumed.
- [12:09 p.m.](#) Dr. Lightbown, Interim Director of Racing, provided an overview of new racing regulations in 205 CMR 2.00: General Rules; and amendments to 205 CMR 3.00: Harness Horse Racing, and 205 CMR 4.00: Horse Racing. The regulations will be in line with the RCI format and rules. Commissioner Zuniga suggested there should be a review of the hearing and appeal process.
- [12:12 p.m.](#) *Commissioner Stebbins moved that the Commission begin the formal public process and publish revised racing regulations for 205 CMR 2, 3 and 4. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

Investigation and Enforcement Division

See transcript pages 78-95

- [12:13 p.m.](#) IEB Director Karen Wells reported on a letter received from KG New Bedford, LLC stating that they are abandoning the Cannon Street project and withdrawing their application as they are unable to create a viable financing package for the project.
- [12:14 p.m.](#) Commissioner McHugh noted that the application fee is non-refundable and that KG Urban should not be allowed to return unless they start from

scratch. Commissioners discussed hypotheticals pertaining to KG Urban and Region C.

[12:27 p.m.](#) *Commissioner Stebbins moved that the Commission accept the letter dated July 22 by KG New Bedford, LLC notifying the Commission that they are abandoning the Cannon Street project and withdrawing their Phase 1 application for the Region C license. Motion seconded by Commissioner Cameron. The motion passed unanimously.*

[12:31 p.m.](#) IEB Director Wells provided an update on temporary key gaming employee licenses issued to Andrew Plante, Director of Security, and David DiOrio, Slot Operations Assistant Shift Manager, at the Plainville Gaming and Redevelopment facility.

[12:32 p.m.](#) The Commission recessed for lunch.

[1:18 p.m.](#) The meeting resumed.

Administration

See transcript pages 95-113

[1:19 p.m.](#) Executive Director Rick Day provided an administrative update which included plan to move forward with an agency wide after action review and implementation of the MassVault email system.

[1:21 p.m.](#) Jack Rauen, from Penn National, provided an update on the Plainridge Park Casino Quarterly Report as of June 30, 2015 which included project schedule and construction highlights.

Legal Division

See transcript pages 113-138

[1:38 p.m.](#) Deputy General Counsel Todd Grossman presented an update on 205 CMR 139 – Continuing Disclosure and Reporting Obligations of Gaming Licensees. He noted changes were made as a result of comments received and concern from gaming licensees about public disclosure of some information.

[2:07 p.m.](#) *Commissioner Zuniga moved that the Commission approve the regulations 205 CMR 139 for the continuing disclosure and reporting obligations of gaming licensees and promulgate them officially as revised here today. The motion was amended to include that the Commission approve the Amended Small Business Impact Statement for regulations 205 CMR 139 as presented in the packet. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

[2:09 p.m.](#) The Commission took a short recess.

[2:17 p.m.](#) The meeting resumed.

Research and Responsible Gaming

See transcript pages 138-217

- [2:17 p.m.](#) Director Mark Vander Linden provided an update on the Play Management System (budget setting tools) and highlighted activities completed to date and those activities that are on task to be completed. Director Vander Linden noted that he expects the Play Management System to be implemented at Plainridge Park Casino in September-October 2015.
- [2:31 p.m.](#) Director Vander Linden and Director of Communications Elaine Driscoll provided an update on the GameSense public outreach and awareness activities to date which included adoption of a gaming brand, developing multilingual brochures, billboards, radio and TV ads, and hosting focus groups which provided helpful feedback.
- [2:40 p.m.](#) A GameSense marketing video, created by Digital Communications Coordinator Mike Sangalang, was shown.
- [2:44 p.m.](#) Director of Communications Driscoll noted that approximately \$130,000 was spent on the first ad buy for Plainville and surrounding communities. She reported that MORE Advertising did a great job on the GameSense website, which has about 7,000 page views to date. She also reported that Facebook ads have a reach of approximately 115,000 and it's made almost 600,000 impressions.
- [2:54 p.m.](#) Marlene Warner, from the Massachusetts Council on Compulsive Gambling, provided an update on the GameSense Information Center at Plainridge Park Casino which included the hiring of four GameSense Advisors, a robust training program in June, establishing relationships with the casino staff, making the information space inviting for patrons, and evaluations.
- [3:01 p.m.](#) GameSense Advisors Eddie DeValle and Megan Daniels provided information on their professional backgrounds, examples of their interactions with patrons, and activities used to educate patrons. Ms. Daniels also noted that they have received positive feedback from patrons about the Voluntary Self Exclusion program.
- [3:35 p.m.](#) Director Vander Linden provided information about the national campaign on Responsible Gaming Education Awareness Week from August 3-7. Marlene Warner noted that their goal will be to target and outreach to casino employees.
- [3:41 p.m.](#) Director Vander Linden acknowledged Steve Keel, from the Massachusetts Department of Public Health, and noted that Steve will be retiring next month. Director Vander Linden and the Commissioners thanked Steve for his partnership and offered congratulations.

Other Business Not Reasonably Anticipated

See transcript pages 218-219

3:43 p.m. Commissioner Stebbins acknowledged Barry Haught from the UAW and noted that Barry will be transiting to a new job and wished him well.

3:43 p.m. *Having no further business, a motion to adjourn was made and passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission July 23, 2015 Notice of Meeting and Agenda
2. Massachusetts Gaming Commission July 9, 2015 Draft Meeting Minutes
3. Massachusetts Gaming Commission Memorandum dated July 21, 2015 regarding Suffolk Downs – August 8, September 5, and October 3, 2015 with attachments
4. Letter from KG New Bedford, LLC to Chairman Crosby, dated July 22, 2015 regarding withdrawal of Region C Application
5. Letter from IEB Director Karen Wells to Attorney Kevin Conroy, dated July 16, 2015 regarding KG New Bedford Application Issue
6. Massachusetts Gaming Commission Memorandum dated July 23, 2015 regarding Temporary Key Gaming Employee Licenses Issued
7. Penn National Plainridge Park Casino Quarterly Report as of June 30, 2015
8. Massachusetts Gaming Commission Memorandum dated July 23, 2015 regarding Status Update on Play Management
9. 205 CMR 139: Continuing Disclosure and Reporting Obligations of Gaming Licensees – DRAFT (with comments attached)
10. 205 CMR 139: Continuing Disclosure and Reporting Obligations of Gaming Licensees - Amended Small Business Impact Statement
11. 205 CMR 2.00: General Rules - DRAFT
12. 205 CMR 3.00: Harness Horse Racing - DRAFT
13. 205 CMR 4.00: Horse Racing - DRAFT

/s/ Catherine Blue

Catherine Blue

Assistant Secretary