



Meeting Minutes

Date/Time: September 8, 2016 – 10:00 a.m.

Place: Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, Massachusetts

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner Lloyd Macdonald
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

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

Call to Order

See transcript page 2

[10:00 a.m.](#) Chairman Crosby called to order the 199th Commission meeting.

Approval of Minutes

See transcript pages 2-3

[10:00 a.m.](#) *Commissioner Macdonald moved for the approval of the August 10, 2016 Commission meeting minutes subject to any corrections, typographical errors, or other nonmaterial matters. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

Commissioner's Update

See transcript pages 3-39

[10:00 a.m.](#) Chairman Crosby reported that the legislature passed a law for a committee to study daily fantasy sports and online gaming. Chairman Crosby requested that he be nominated to represent the gaming commission on the committee panel. Chairman Crosby stated that it will be a staff collaborative effort. Commissioner Zuniga stated that he is familiar with these types of commissions and that there is a lot of work required; especially follow up work from staff. He stated that he agrees with the designation of Chairman Crosby and welcomes updates.

Commissioner Stebbins noted that the landscape of online gaming keeps changing, he cited an example of mybookie.net, and stated that we need our licensees input on what they intend to do.

Commissioner Cameron raised the issue of betting on live professional sporting events and noted that England is a leader in sports betting.

[10:11 a.m.](#) *Commissioner Zuniga moved that the Commission designate Chairman Crosby to be the representative on the (DFS and online gaming) Commission. Motion seconded by Commissioner Macdonald. Chairman Crosby abstained from the vote. Motion passed 4 to 0 with 1 abstention.*

[10:11 a.m.](#) Chairman Crosby noted that he and Commissioner Macdonald attended a gaming conference at UNLV (University of Nevada Las Vegas). Commissioner Macdonald provided highlights of the conference which included the following themes: innovation (concerns that the industry will be left behind if they can't develop entertainment games that appeal to the post Baby Boom generation); development of eSports - an emerging industry; technology (development of new games and enforcement); regulatory oversight (promotion of honesty and integrity in operations of facilities, consumer trust, and concern for regulations becoming a barrier to entry into the market); anti-money laundering, advantage play, and Indian gaming. He noted that gambling is no longer the center of the Las Vegas strip and revenues are coming more from entertainment. He stated that a new focus is on integrated resorts and a total experience. He also stated he experienced hometown pride with the work of Director Mark Vander Linden and responsible gaming strategies being highlighted at the conference. He stated that the commission's work in this area was cited repeatedly as groundbreaking. He stated that Chairman Crosby gave two presentations that were well received and included lessons of establishing a new gaming regimen in Massachusetts.

Administrative Update

See transcript pages 39-45

[10:48 a.m.](#) Executive Director Edward Bedrosian, Jr., reported on new personnel that included: state police officers Ronald Gibbons, Kevin Nolan, Michael Banks and Thomas Rodger; Teresa Fiore, program manager of research and responsible gaming; and financial investigator Colin Heneghan. He provided an update on Penn National's social gaming and rewards program. He noted that starting in October there will be building security changes. He stated that notice to the public about the changes will be posted on our website.

Racing Division

See transcript pages 45-86

[10:55 a.m.](#) General Counsel Catherine Blue reported on a letter from Suffolk Downs to Raynham requesting payment of simulcast premiums. She also noted a response from Raynham outlining their position on why the funds haven't been paid. She stated that a letter was received from Suffolk Downs requesting that the Commission review this matter. General Counsel Blue requested guidance from the Commission on how they want staff to proceed and provided options.

The Commissioners discussed having the parties prepare briefs on their positions and present at a future commission meeting.

- [11:11 a.m.](#) Dr. Alexandra Lightbown, Director of Racing, reported that October 1st is the deadline for submitting the 2017 racing applications and the Commission will vote on the applications by November 15th.
- [11:13 a.m.](#) Dr. Alexandra Lightbown reported on a request from the Massachusetts Thoroughbred Breeders Association (“MTBA”) to race outside of Massachusetts. She noted that the Commission had previously approved their requests.
- [11:23 a.m.](#) *Commissioner Stebbins moved that the Commission approve the request of the Massachusetts Thoroughbred Breeders Association to run five restricted Mass. bred races in the two year-old Norman Hall stakes at Finger Lakes racecourse this fall and approve the request to run at either Laurel Park or Delaware Park. Motion seconded by Commissioner Cameron. Motion passed unanimously.*
- [11:24 a.m.](#) Douglas O’Donnell, Senior Financial Analyst, reported on Suffolk Down’s request for consideration from the capital improvement trust fund. He noted six projects for track improvements totaling \$92,649.19.
- [11:29 a.m.](#) *Commissioner Cameron moved that the Commission approve Suffolk Downs racecourse request for the work that has been done on alterations, additions, replacements and changes as stated in the memo. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*
- [11:30 a.m.](#) Dr. Alexandra Lightbown presented on a request from Plainridge Park Casino for the approval of two new veterinarians - Dr. Clifford Morcum and Dr. Jesse Sugrue, to substitute for the regular veterinarian.
- [11:31 a.m.](#) *Commissioner Stebbins moved that the Commission reaffirm the approval of the request of Steve O’Toole to approve Drs. Clifford Morcum and Jesse Sugrue as fill-in association veterinarians. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*
- [11:32 a.m.](#) Dr. Alexandra Lightbown presented on a request from Suffolk Downs for approval of an outrider – William Lavergne. Dr. Lightbown requested that the Commission affirm her approval of Mr. Lavergne as a racing official.
- [11:32 a.m.](#) *Commissioner Cameron moved that the Commission affirm the approval of Dr. Lightbown for William Lavergne as an outrider. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*

Investigations and Enforcement Bureau

See transcript pages 87-98

- [11:33 a.m.](#) Director Karen Wells provided a licensing regulation review update and stated that she has received comments from MGM and plans to wait for additional comments. She stated that she will put the proposed regulation amendments before the Commission for formal promulgation at the next meeting.

Chairman Crosby inquired about the internal control regulations. The Commissioners discussed the process for changing regulations.

11:45 a.m. The Commission took a brief recess.

11:52 a.m. The meeting resumed.

Workforce, Supplier, and Diversity

See transcript pages 99-111

[11:52 a.m.](#) Director Jill Griffin provided an update on workforce development. She stated that Wynn Boston Harbor will be conducting seven construction career fairs. She noted that this will be an opportunity for women, minorities, and veterans to learn about the trades and get information about the application process.

She also reported on a hospitality training program, which is free for 50 unemployed Holyoke residents annually, which will begin in October. She stated that the training is a collaborative effort involving the City of Holyoke, Holyoke Community College, and MGM. She also noted that the Commonwealth Corporation has supported this effort.

Chairman Crosby raised the matter about CORI requirements and stated that we will have this discussion in a few weeks.

Commissioner Macdonald noted that he is impressed by the work of Director Griffin and the commitment by our licensees.

Legal Division

See transcript pages 112-114

[12:06 p.m.](#) General Counsel Catherine Blue presented on the amendment to 205 CMR 138.00: Uniform Standards of Accounting Procedures and Internal Controls (ATM). She noted that a public hearing was conducted, public comments were received, and she requested that the Commission approve the amended small business impact statement and steps for final promulgation.

[12:07 p.m.](#) *Commissioner Stebbins moved that the Commission approve the amended small business impact statement and final version of the amendment to 205 CMR 138 as included in the packet, and authorize staff to take all steps necessary to file the regulation with the Secretary of the Commonwealth and complete the regulation promulgation process. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*

Other Business Not Reasonably Anticipated

See transcript page 114

[12:08 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 September 8, 2016
2. Massachusetts Gaming Commission, Draft Meeting Minutes, dated August 10, 2016
3. Letter from the Massachusetts Gaming Commission to Penn National Gaming, Inc., dated August 22, 2016 regarding social gaming developments
4. Letter from Penn National Gaming, Inc. to the Massachusetts Gaming Commission, dated August 10, 2016 regarding social gaming developments
5. M.G.L. c. 128C, §2 - Simulcast wagering by racing meeting licensees; restrictions
6. Letter from Suffolk Downs to the Massasoit Greyhound Association, dated June 30, 2015 regarding demand for payment
7. Letter from Michael Morizio to Sterling Suffolk Racecourse, dated July 7, 2015 regarding simulcast premiums, with attachments
8. Letter from Bruce Barnett (DLA Piper) to the Massachusetts Gaming Commission, dated May 16, 2016 regarding petition for suspension or revocation of Raynham Taunton Greyhound licensees' simulcasting authority
9. Massachusetts Gaming Commission, Memorandum dated September 6, 2016 regarding Massachusetts Thoroughbred Breeders Association request to race at Finger Lakes, Laurel and Delaware, with attachment
10. Massachusetts Gaming Commission, Memorandum dated September 8, 2016 regarding request for consideration, Suffolk Downs Capital Improvement Trust Fund, with attachments
11. Massachusetts Gaming Commission, Memorandum dated September 6, 2016 regarding additional Plainridge Park Casino racing officials (veterinarians), with attachment
12. Massachusetts Gaming Commission, Memorandum dated September 6, 2016 regarding additional Suffolk Downs racing official (outrider), with attachment
13. Holyoke Community College Hospitality and Culinary Arts, job training flyer and articles
14. Wynn Boston Harbor Building Trades Career Fairs flyer
15. 205 CMR 138.00: Uniform Standards of Accounting Procedures and Internal Controls - Draft amendments (ATM), Amended Small Business Impact Statement, and public comments

/s/ Catherine Blue
Catherine Blue, Assistant Secretary