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THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS GAMING COMMISSION
PUBLIC MEETING #186

CHAIRMAN

Stephen P. Crosby

COMMISSIONERS

Lloyd Macdonald

Bruce W. Stebbins

Enrique Zuniga

April 14, 2016 10:00 a.m.- 11:52 a.m.

MASSACHUSETTS GAMING COMMISSION
101 Federal Street, 12th Floor
Boston, Massachusetts

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P R O C E E D I N G S :

CHAIRMAN CROSBY: I am pleased to call to order the 186th meeting of the Massachusetts Gaming Commission, Thursday, April 14 at our offices on Federal Street.

First item of business as usual is the approval of minutes, Commissioner Macdonald.

COMMISSIONER MACDONALD: Thank you, Mr. Chairman. I move that we approve the minutes as appear in the notebooks for the meetings of March 22, 2016, March 24, 2016 and March 29, 2016, subject to corrections, typographical errors or other nonmaterial matters.

CHAIRMAN CROSBY: Second?

COMMISSIONER ZUNIGA: I second that.

CHAIRMAN CROSBY: Is there any discussion about the minutes? Any issues? All in favor, aye.

COMMISSIONER MACDONALD: Aye.

COMMISSIONER ZUNIGA: Aye.

1 COMMISSIONER STEBBINS: Aye.

2 CHAIRMAN CROSBY: Opposed. The ayes
3 have it unanimously adopting all three sets. I
4 neglected to mention that Commissioner Cameron
5 won't be able to be with us this morning, but
6 we have plenty of other Commissioners. And we
7 will go ahead and do our jobs.

8 Next up is research and responsible
9 gaming but we're going to pass it to Executive
10 Director Bedrosian who is going to modify the
11 schedule a bit.

12 MR. BEDROSIAN: Sure. Good morning,
13 Mr. Chairman, Commissioners. Just a couple of
14 amendments to the schedule, actually just one
15 major amendment. We're going to defer on item
16 number (5), key gaming executive vote to
17 another day. So, we can pass on that.

18 And item number (3), Director Vander
19 Linden is at a conference, a problem gaming
20 conference today. So, he's asked me to step in
21 for him. So in that regard, I'm here to re-
22 introduce to you Mr. Bruce who I believe has
23 been before the Commission at least once before
24 to describe a baseline crime statistics study

1 that he is helping the Commission with.

2 He is now here to present the first
3 of what could be a series of follow-up studies.
4 I will just tell you yesterday I was with Mr.
5 Bruce as he presented to the Public Safety
6 Subcommittee this information that was well
7 received and extremely interesting. He is now
8 going to present it to the Commission.

9 I just ask Mr. Bruce just to remind
10 the members of the Commission briefly your
11 qualifications before you go into the
12 presentation.

13 MR. BRUCE: Very good. Good
14 morning. It's a pleasure to be here. I am a
15 career crime analyst.

16 So, I used to work for the Cambridge Police
17 Department as a crime analyst and at the
18 Danvers Police Department. I have 17 total
19 years in Massachusetts.

20 And for the last five years, I've
21 been a consultant training and technical
22 assistance provider to a variety of different
23 US Government programs mostly through the
24 Bureau of Justice Assistance. I'm currently

1 the Vice President of the International
2 Association of Crime Analysts and a crime
3 analysis specialist with the Association of
4 Directors of Law-Enforcement Standards and
5 Training.

6 And I've been contracted to work
7 with the data from the different police systems
8 in the areas that have been affected by the
9 development of new casinos to see what kinds of
10 changes we see in crime and calls for service
11 and traffic collisions and other public safety
12 issues after the casinos have been opened.

13 Naturally, we are starting here in
14 the Plainville area, which is a good place to
15 start both because of the nature of the casino
16 and because of the geography. It's right off
17 the highway. It's a somewhat low-populated
18 community by Eastern Massachusetts standards.
19 And it doesn't have much of a crime rate
20 existing. So, it's a nice place to have sort
21 of gotten our feet wet with the initial stages
22 of this study.

23 Obviously, the developments in
24 Springfield and in Everett are going to be a

1 little bit harder to analyze with their
2 existing total crime volume.

3 COMMISSIONER MACDONALD: Excuse me.

4 CHAIRMAN CROSBY: I'm sorry. Those
5 are Plainville the host community and the
6 formal surrounding communities?

7 MR. BRUCE: Exactly. What you are
8 seeing are Plainville and the identified
9 affected surrounding communities.

10 We have collected from five of them.
11 Unfortunately, Foxborough declined to give us
12 incident level data for this study. But
13 hopefully, we'll be able to get some summary
14 level data from them for the annual study, the
15 one-year study which will be coming out later
16 this summer.

17 But we've collected data from all
18 the other departments here as well as the
19 Massachusetts State Police operating in this
20 region.

21 COMMISSIONER MACDONALD: Could I
22 just ask you what is the population of
23 Plainville?

24 MR. BRUCE: You know, I should have

1 that statistic off the top of my head and I
2 don't. It's in the high teens I think but
3 don't base anything on that.

4 COMMISSIONER MACDONALD: Is there a
5 reason that Foxborough did not cooperate?

6 MR. BRUCE: I think that they had
7 concerns about the security and privacy the
8 data. We tried to allay them and I tried to
9 explain what I'd be doing with it and that only
10 I would access to it for now until such time as
11 they signed an agreement to give access to
12 other people.

13 I tried to explain that we weren't
14 collecting any personally identifying data,
15 nothing about people or anything, no narrative
16 information, but they still weren't very
17 comfortable for some reason giving the data
18 over. Hopefully, after they see some of the
19 results of the study, they'll be more likely to
20 cooperate.

21 COMMISSIONER MACDONALD: It was not
22 a financial --

23 MR. BRUCE: Oh, no, no. There is no
24 cost to any of these agencies to participate.

1 There's no cost associated with setting up the
2 connection and withdrawing data.

3 COMMISSIONER MACDONALD: Wouldn't
4 they be reporting that on a routine basis to
5 the state?

6 MR. BRUCE: They do. They report
7 summary crime statistics to the state on, if
8 they are complying with state practice, a
9 monthly basis. But that just gives us totals
10 for how many crimes they had and it's only
11 crime.

12 So, what we were hoping to get is
13 much more detailed data, dates, times,
14 locations, people involved, the property that
15 was stolen, things like that. I'll cover that
16 in a little bit.

17 So, for this initial study, which is
18 sort of a lead up to the one-year study, we
19 took an initial scan of the data and identified
20 what had increased and decreased. I took a
21 look at anything that is significantly
22 increased to try to explain why and to identify
23 any casino relationship if there is one.

24 Mostly, this study raised some

1 questions that we have to answer in the one-
2 year study through more thorough analysis.
3 Regrettably that's going to involve actually
4 reading the crime reports of most of these
5 crime that increased, because there's data in
6 the narrative that the police officer writes
7 that really isn't available in discrete fields.
8 So, to really understand what's happening, we
9 have got to really get into the weeds there.

10 And hopefully this will help
11 identify a few things that might lead to
12 associated programs and services to help allay
13 some of the increases that we are seeing.

14 So, in order to do this, I tapped in
15 directly to the records management systems of
16 the five contributing agencies as well as the
17 state police and got, as I said, incident level
18 data, meaning not just counts or not just
19 numbers, but actually line by line the dates,
20 the times, the locations and other associated
21 data but each incident that occurred, both
22 crime and noncriminal.

23 I synthesized those into a common
24 database, which was a very long and tedious

1 process not really worth recounting here, but a
2 big part of what I had to do. And we compared
3 what happened in July --

4 CHAIRMAN CROSBY: Chris, excuse me.
5 In the future, one of the things that we are
6 doing with Plainville in a number of areas is
7 using it as sort of a trial run so it's a
8 smaller operation and we're getting learning
9 how to do what we are doing.

10 Is there anything possible that
11 comes out of this experience that can
12 streamline that process? The process you just
13 talked about, if you are doing it for Eastern
14 Mass. and Springfield, especially Eastern Mass.
15 will be a whole lot bigger.

16 MR. BRUCE: Obviously, having the
17 experience will streamline it a little bit,
18 because I know what to look for and what
19 pitfalls to avoid. But really it boils down to
20 the fact that every agency stores its data and
21 categorizes its data slightly differently from
22 every other agency.

23 So, in order to be able to say in
24 general terms what the increase in certain

1 types of calls for service were among all of
2 the agencies, you've got to be able to
3 translate the way they store their data into a
4 common set of definitions. And there's really
5 no way around that fairly long process of
6 making sure that you are interpreting the data
7 from each of the individual systems correctly
8 in order to merge them together properly.

9 Fortunately, the Massachusetts IBR
10 standard for crime reporting, which almost
11 every agency follows makes it easier to combine
12 crime data. It's much harder to combine the
13 noncriminal data which was a big part of this
14 study.

15 So, we looked at what happened in
16 July to December 2015 that started the week
17 after Plainridge Park opened to past July to
18 December period for the last five years, and
19 looked at unusual changes, anything that was
20 higher than normal. And we analyzed as fully
21 as possible. I sent a memo back to each agency
22 with a list of all the things that increased
23 and asked for their interpretation, their
24 perspective, their assistance and got their

1 feedback.

2 I and an assistant that I'm working
3 with visited the agencies personally in some
4 cases and looked at and read the crime reports
5 and the associated increases. So, we did as
6 thorough a job as we could with the time that
7 we had. But that's obviously going to be
8 expanded for the annual study.

9 This is just shot indicating the
10 type of data we're getting, line-by-line,
11 incident level data from each of the agencies
12 and then combined into a single table like
13 this.

14 From previous research, we took a
15 number of things that informed this study.
16 Most of the previous research into the impact
17 of casinos on the surrounding communities has
18 used that summary level statistical data that I
19 was talking about that helps a little bit to
20 determine what went up and went down. But it
21 doesn't give you much to analyze other than the
22 fact that something increased or decreased.

23 And of course, it's only involved
24 crime data not calls for service data. There's

1 a couple of exceptions more recently but
2 generally speaking in the history of casino
3 impact research that summary data has been the
4 only thing that has been considered.

5 It's also the previous research has
6 been very mixed in terms of whether casinos do
7 have an impact on surrounding community. There
8 is no one lesson you can draw from the totality
9 of the research. It happens sometimes. It
10 doesn't happen other times.

11 There's a particularly good quote
12 that I've closed this slide with from a study
13 that came out about 12 or 13 years ago: "Crime
14 does not inevitably increase with the
15 introduction of a casino. The effects of
16 casinos on crime appear to be related to a
17 variety of variables which are only poorly
18 understood."

19 And I would say some of those
20 variables include the nature of the geography
21 of the area where the casino is built; the way
22 people access it; whether there's public
23 transportation available; whether you can walk
24 up to it; whether the surrounding community

1 already has a particular high crime rate or a
2 low crime rate; and the nature of the casino
3 itself, of course, what types of activities
4 they have and the number of people that they
5 can accommodate.

6 So, all of these variables probably
7 come together to determine whether or not
8 casinos have an impact. I think the good news
9 is here in Massachusetts we're going to get a
10 chance to study a lot of different scenarios
11 from the current Plainville project, right off
12 the highway limited use casino, low crime rate
13 in the surrounding area, all the way to
14 Springfield and Everett where they have fairly
15 urban centers, public transportation available
16 to get there, things like that. So, it's going
17 to be an interesting comparison once we get
18 those other locations to study.

19 I also want to emphasize that the
20 previous research as well as the research that
21 we are doing here, even though it might show
22 that there's been an increase related to the
23 presence of a casino doesn't necessarily mean
24 that it's the gambling nature of the casino

1 that caused that increase.

2 That is to say if these communities
3 had built a Cineplex or another major shopping
4 center or a waterpark or any number of other
5 facilities that draw a lot of people and a lot
6 of traffic, we could easily have seen the same
7 increases. There has been very little in the
8 research to tie increases in community crimes
9 specifically to the gambling nature of casinos.

10 For Plainridge Park itself,
11 obviously, things that happened at Plainridge
12 Park can attributed directly to the
13 introduction of Plainridge Park. There is some
14 difficulty in obtaining a comprehensive data
15 set for everything that happens at the casino
16 because we have multiple agencies responding to
17 things that happened there. And each one of
18 them sort of sees a slice of the overall
19 picture.

20 So, again got the Plainville Police,
21 they respond and mostly to the exterior and
22 have their own crime statistics. We've got the
23 gaming enforcement which reports summary
24 statistics. And then from the state police

1 database, I've got data that talks about what
2 the officers or the troopers assigned to the
3 local barracks are doing in the area.

4 And since there is no consistent
5 number, its identifying number for each
6 incident that runs through all of these data
7 sets, it's really hard to de-conflict them and
8 to identify what incidents are duplicated among
9 the data sets, if that make sense.

10 So, when you want to know how many
11 incidents of theft, fraud, forgery, ID theft,
12 bad checks, etc. happened at Plainridge Park,
13 the real answer is somewhere in between the
14 highest number here, which in this case is
15 reported by gaming enforcement at 55, and the
16 total number of all those three which would be
17 92, I guess -- sorry 82 incidents.

18 But the real number is somewhere in
19 between there because some of those incidents
20 are duplicated among the multiple data sets.
21 We don't have a great way right now of trying
22 to de-conflict that data, but we're continuing
23 to work on it with the enforcement unit. And
24 hopefully at least based on date and time we

1 can identify which data is duplicated among the
2 data sets.

3 CHAIRMAN CROSBY: Excuse me. That's
4 a really important variable, obviously.

5 MR. BRUCE: Yes.

6 CHAIRMAN CROSBY: There's going to
7 be -- If there's anything people are going to
8 want to know is going to want to know how many
9 new incidents of a certain crime have there
10 been. I can't think of a more basic question
11 that people are going to want to ask.

12 And it's not going to be good enough
13 for us to say we're not sure but somewhere
14 between this and that. So, it sounds like
15 you're working on trying to straighten out
16 that, but is that really a precondition of the
17 study? Are we going to fix that one way or the
18 other?

19 MR. BRUCE: Yes. I can say that we
20 will find a solution. But keep in mind that
21 the purpose of my study in particular is to
22 look at what happens in the communities
23 surrounding the casino, not so much what
24 happens at the casino itself.

1 It's important to have that data
2 because that will help determine if there's a
3 relationship to incidents that we see right
4 around the casino. But my study doesn't take
5 the place of a report specifically from the
6 gaming enforcement unit as to what they are
7 seeing at the casino.

8 CHAIRMAN CROSBY: Right. Okay. So,
9 the variable that I'm speaking to is what
10 happens outside.

11 MR. BRUCE: Yes.

12 CHAIRMAN CROSBY: And being able to
13 identify that number.

14 MR. BRUCE: Right. There's no issue
15 with that data because we don't have the same
16 issue with multiple agencies responding to
17 these crimes in the communities.

18 CHAIRMAN CROSBY: Okay, great.

19 MR. BRUCE: The important thing
20 about Plainridge Park, the data that we're
21 seeing at Plainridge Park, and by the way you
22 all have a written report I assume yes, okay.
23 So, the statistics are broken down exhaustively
24 there. I'm not going to cover all of them in

1 this presentation.

2 But I did compare what's happening
3 at Plainridge Park in that report to a couple
4 of other facilities in the area, a couple of
5 shopping centers and the Xfinity Center in
6 Mansfield just to give a sense of how incidents
7 happening at Plainridge Park weigh up against
8 other similarly sized and similarly traffic
9 facilities.

10 I say similarly. The fact is we
11 don't know exactly what the numbers are for any
12 of these particular locations. So, they can't
13 be compared directly. It just gives a general
14 sense that Plainridge Park so far hasn't been
15 notably higher in its activity than what you
16 might expect from any facility of that size
17 that draws that kind of crowd and that type of
18 traffic.

19 In fact, when it comes to things
20 like violent crimes, the numbers have been very
21 low or almost nonexistent. We only have one
22 simple assault, meaning not a serious weapon
23 used, reported in the state police database.
24 And nothing reported in the other two data sets

1 for violent crime. Very low numbers for what I
2 would expect from my experience as an analyst
3 for property crimes and for drug and alcohol
4 related incidents over that type of time
5 period.

6 We're going to be looking in the
7 one-year report at how Plainridge Park stacks
8 up to other casinos specifically that offer the
9 same types of services.

10 From the area, it's important to
11 understand that in any given time period, every
12 police agency is going to have some major
13 increases and decreases in their criminal
14 activity and their noncriminal activity that
15 could be caused by anything from a serial
16 offender coming to town for a period or some
17 other business opening or closing, changes in
18 street patterns, changes in demographics.

19 So, if I looked at any agency's
20 crime statistics, whether a major facility like
21 Plainridge Park had been built or not, I would
22 find in any given time period some major
23 increases that would be worth explaining.

24 So, it's important to understand as

1 you look at the data in the report, for anybody
2 in the public that looks at the data in the
3 report, identifying an increase in the
4 surrounding community does not point to a
5 causal relationship.

6 MR. BEDROSIAN: I'm sorry,
7 Commissioners, if I could just interrupt. I
8 know that Chief Alford from the Plainville
9 Police just showed up. So, Chief, if you want
10 to just come up and sit next to Mr. Bruce, we'd
11 appreciate that. We did invite him and I know
12 we need to get going. So, I just want him --

13 CHAIRMAN CROSBY: Good morning. We
14 continually hear about the collaboration with
15 your department and we really appreciate it.

16 MR. BEDROSIAN: Apologies for
17 interrupting.

18 MR. BRUCE: No problem. As I was
19 saying, it would irresponsible to take any
20 increase seen in the surrounding community and
21 identify a casino relationship without reading
22 the rest of the analysis, which gets into the
23 specific details and indicates whether or not
24 we think that it's related to the presence of

1 Plainridge Park.

2 There were some things that
3 increased in the surrounding area that clearly
4 had nothing to do with Plainridge Park. And
5 I've offered a few on the board here. There's
6 an increase in kidnapping statistics, for
7 instance, in the surrounding region, but they
8 were all custodial things. The father didn't
9 return the children after the weekend
10 visitation or something. Nothing to do with
11 the presence of a casino, it's just a number
12 that happened to increase in the area.

13 There was, and I put it in quotes,
14 "an increase in prostitution". The area hardly
15 ever reports any. I think the six-month
16 average was 0.2. They reported two incidents
17 in the second half of 2015. But looking at the
18 actual reports for that data, they were both in
19 Wrentham.

20 The police agency couldn't identify
21 any relationship to Plainridge Park. It was
22 local people. They weren't in the area to use
23 the casino. So, we're actually reading
24 individual reports at some level to determine

1 if we can find that relationship.

2 North Attleborough had a big
3 increase in burglary during this period, but it
4 turned out to be committed by a couple of
5 serial burglars who were from the local area.
6 And they were heroin addicts. They didn't have
7 any casino motivation to commit their crimes.

8 There are a few trends going on in
9 the area that are worth noting. The agencies
10 are seeing an increase in heroin-related crime,
11 opioid-related crime. And that causes a
12 general increase sometimes in crime statistics.

13 We are seeing lower gas prices
14 throughout the region, actually throughout the
15 country. So, people are driving more because
16 of those lower gas prices which tends to cause
17 an increase in traffic related activity.

18 And two of the agencies in the study
19 started to really focus on improving their data
20 quality during this period. One of them hired
21 a full-time crime analyst for the first time.
22 One of them appointed a new person to the
23 process of record-keeping and coding their
24 criminal incidents.

1 While that's a good thing they're
2 now focusing on better data quality, the
3 negative side of what was to cause an increase
4 in those crime statistics for those agencies,
5 even when I don't think there's a real
6 increase, and it's tough to figure out what the
7 real increase is because their past data was
8 coded incorrectly. Again, we had to read
9 individual reports for those categories to make
10 sure there wasn't a casino relationship.

11 I keep talking about casino
12 relationships, I just want to mention some of
13 the factors we use to determine whether or not
14 a casino relationship exists.

15 First of all, there needs to be, and
16 it's not all of these factors need to exist,
17 but we weigh the totality basically of these
18 factors and whether they are present in a
19 particular increase. There has to be a logical
20 reason for that crime to increase in relation
21 to the casino.

22 So, if thefts from cars had
23 increased in the surrounding area with cash
24 being stolen from them that would be a logical

1 connection. That didn't happen but that would
2 be a hypothetical. None of these things that
3 are on the screen right now happened. These
4 are all hypotheticals.

5 Whereas if thefts had increased at
6 schools, since juveniles are not able to use
7 the casino that wouldn't make sense for there
8 to be a causal relationship between the two.
9 If we see more offenders and victims coming
10 from the outside area rather than the local
11 community that would be -- it may be an
12 indication that the casino is related where
13 more people would be coming from further away
14 to use the casino services.

15 If we saw the same category increase
16 around at multiple agencies that's a better
17 sign than if only a single agency had that
18 increase.

19 If multiple incidents of the same
20 type increase at the same time that's a better
21 sign than if one of them increases in
22 isolation. So, we tend to see like crimes
23 increasing together thefts from buildings,
24 thefts from vehicles, thefts from persons tend

1 to go up sort of at the same time. If only one
2 of them increased and the other two decreased
3 that would be more of an indication of a
4 pattern that had nothing to do with the casino.

5 Obviously, if the casino is
6 specifically mentioned by offenders and victims
7 that's a sign a relationship there, not just in
8 a single case, but if we saw that happen
9 repeatedly among multiple cases.

10 Then if there's a spatial
11 relationship. That is if there's an increase
12 and most of the increase is concentrated on the
13 streets around Plainridge Park that would be
14 more indicative of a casino relationship than
15 if it was more diffused spatially.

16 So, given all of that this is what
17 for the first six months we think is likely
18 related to the presence of a casino. You'll
19 notice nothing, anything about crime in there,
20 which is the good news. We didn't see any
21 increase in property crime.

22 Although the area did see an
23 increase in violent crime, we couldn't find any
24 kind of casino relationship in the categories.

1 The only things that I think are
2 likely related to the presence of a casino are
3 increase in traffic related calls for service
4 primarily from the Plainville Police
5 Department. We're talking about traffic
6 complaints which are usually people calling the
7 police department to complain about erratic
8 drivers, bad drivers, improper parking, things
9 like that, disabled vehicle calls, suspicious
10 vehicle calls. Actually that's it, those three
11 major categories.

12 These are three categories that it
13 makes perfect sense for them to increase with
14 the increase of traffic in the surrounding
15 area. So, if we had a way to normalize by
16 traffic, it may turn out that we don't have any
17 increase at all. Unfortunately, we don't have
18 reliable traffic counts from all the streets in
19 the surrounding area.

20 We also saw a general increase in
21 traffic collisions. This is an interesting one
22 because no agency reported a significant
23 increase in traffic collisions. None of them
24 that crossed the threshold that I would have

1 normally established for whether I wanted to
2 investigate it further.

3 But since every agency reported a
4 modest increase, I think it's probably likely
5 that the increased traffic to the casino is
6 causing increased traffic patterns throughout
7 the communities. And thus having a modest
8 increase in traffic collisions. Again, these
9 are both things we have to study much further
10 in the one-year report. I'll come back to
11 these both in a second.

12 There's a couple of things that
13 might be related that need to be researched a
14 lot further. One of them is an increase in
15 credit card fraud in four of the five agencies
16 reporting. In three of those agencies that
17 increase is extremely high, much higher than
18 you would expect on the basis of random
19 fluctuation.

20 Something is clearly going on with
21 that category in the surrounding area. I just
22 don't see a Plainridge Park relationship yet.
23 But it's definitely up, and I want to get to
24 the bottom of it. I'll cover the

1 characteristics in just a second.

2 Mansfield and North Attleborough in
3 particular reported increases in fraud and
4 identity theft. They were significant in that
5 they were unlikely to be caused by random
6 chance but they weren't very high. And we'll
7 see the numbers in just a second. I think that
8 those are most likely related to their changes
9 in the way they report crime that I talked
10 about a second ago, but we have to go deeper
11 into the data just to make sure.

12 Three of the communities reported an
13 increase in drunk driving. I want to emphasize
14 that police reports of drunk driving are not a
15 good indicator of how much drunk driving
16 actually happens in an area because it's
17 heavily dependent upon what the police do. How
18 much enforcement they do; whether they set up
19 check points or do more traffic stops. The
20 real indicator of whether drunk driving
21 actually increases is the number of drunk
22 driving related collisions that we see in the
23 area.

24 Unfortunately, we don't have good

1 data about that yet. So, that's something
2 that's going to have to be put off until the
3 one-year report, but it's definitely worth
4 looking at given the fact that some of the
5 agencies have reported that increase.

6 There's a lot of things that aren't
7 related that we looked at in detail. And we
8 just couldn't find any relationship. In fact,
9 we found the opposite where the people that
10 were involved clearly were not in the area to
11 use the casino. I talked about kidnapping, the
12 prostitution, the serial burglaries in North
13 Attleborough. North Attleborough in general
14 had a big increase in drug and alcohol related
15 crimes but that seems to be related to their
16 changes in coding and not any actual changes in
17 activity.

18 Attleboro and a couple of other
19 communities saw an increase in what we call
20 psychological related calls for service. These
21 are things like people who are suicidal,
22 experiencing hallucinations, delusions, mental
23 breakdowns that kind of thing.

24 But looking at the individual

1 reports, the analyst in Attleboro was kind
2 enough to actually read all of the individual
3 reports. He couldn't find any casino
4 relationship.

5 In fact, it would be weird for such
6 a social harm to manifest itself in a single
7 community like that. If we saw any mental
8 illness related incidents related to the
9 presence of gambling, it would probably much
10 more diffused among a much wider area and not
11 concentrated in a single place.

12 The good news is we saw no increase
13 in a lot of the things that people expected
14 might increase. No increase in robbery. No
15 increase in burglary area wide at least. We
16 have no increases in thefts from buildings,
17 persons, vehicles. Auto theft went way down,
18 significantly and perhaps because of the extra
19 police presence in the area.

20 And we saw a significant increase in
21 reported drug offenses and liquor law
22 violations in the surrounding areas. Just like
23 drunk driving though, police data isn't a great
24 indicator of that because it's mostly dependent

1 upon what police do. But at least we didn't
2 see an increase that we had to study further.

3 Here's some statistics that are
4 pulled from the report. Again, the report has
5 a lot more crime categories and a lot more
6 calls for service categories. But you can see
7 some of the increases and decreases here. The
8 important thing to understand is the Z-score.
9 I have a section in the report that talks about
10 it.

11 I don't use percentage change to
12 look at increases and decreases because there's
13 no way to attach significance to a percentage
14 change. And percentage change doesn't tell you
15 the normal amount of fluctuation in that
16 particular category. A crime that goes from
17 one to two is 100 percent increase. From two
18 to one is a 50 percent decrease. These sound
19 like big numbers, but they really aren't.

20 The Z-score is a better statistic.
21 The report explains how it's calculated. What
22 you have to know for now is basically that most
23 of the time we'd expect that number to be
24 between negative one and positive one if the

1 crime was just doing what it does normally.

2 Between negative two and positive
3 two, it's still within the realm of normal
4 fluctuation, but it's a little bit warmer and
5 cooler respectively. Above positive two or
6 below negative 2 that's quite significant. And
7 there's almost always some sort of external
8 factor influencing that crime such as
9 Plainridge Park.

10 So, we can see for most of the
11 crimes, they are well within the normal amount
12 of tolerance. A couple of them thefts from
13 buildings, auto thefts are significantly
14 decreased. But you see that credit card fraud
15 +7.46. That's just huge. There is something
16 happening with that category. Again, I don't
17 see a Plainridge Park relationship yet, but I
18 definitely want to look at it further and help
19 try to figure out exactly what is happening
20 with that category.

21 For calls for service, again, many
22 of the things you would expect that would
23 increase based on more traffic to the community
24 have increased, traffic collisions, traffic

1 complaints, loss of property reports. Whereas,
2 disabled vehicles, again some of these aren't
3 up significantly above that +2 but they are up
4 fairly consistently among the communities. So,
5 those are the things we took a look at in more
6 detail.

7 So, for the increase in traffic
8 related calls for service, Plainville itself
9 reported numbers with a Z-score of 3.141 for
10 traffic complaints --

11 CHAIRMAN CROSBY: What's the period
12 of time referred to?

13 MR. BRUCE: This is all July through
14 December, July through December 2015 compared
15 to the last five years.

16 CHAIRMAN CROSBY: It's an average
17 per six months or per month?

18 MR. BRUCE: No, just for the six
19 months. For each year, for the past five years
20 going up to 2015 for just that six-month
21 period, Plainville had an average of 117
22 traffic complaint calls for service. In the
23 six months after Plainridge Park opened, they
24 had 164.

1 So, that's a fairly significant
2 increase. So, is it for North Attleborough.
3 Disabled vehicles are a significant increase in
4 Plainville and so is suspicious activity which
5 is mostly reports of suspicious vehicles.

6 That doesn't mean that there was
7 anything going on with those cases. If it
8 turned out to be a real crime that would have
9 been reported as an actual crime. It's just
10 people calling and saying that they are
11 reporting a suspicious vehicle.

12 Just keep in mind that even though
13 the numbers are significant, that doesn't mean
14 that they're impacting Plainville's activity
15 unnecessarily on a daily basis. If you divide
16 by the total number of days during that period,
17 we are talking about less than one extra
18 incident per day. So, that doesn't mean it's
19 necessarily noticeable to the average police
20 officer on a regular basis.

21 That was supposed to animate.
22 There's a map behind that that was supposed to
23 come up before this text. So, I apologize for
24 that, but when we look at it spatially, we see

1 that most of the increase in those traffic
2 related incidents are happening along routes
3 that's service to the casino. So, it does make
4 sense spatially that we'd see that arrangement.

5 So, we see a logical tie to the
6 casino in there's more traffic. So, that's
7 more traffic calls. It's increasing across
8 multiple agencies. We're seeing the same
9 increase in multiple related calls for service.
10 And it makes sense spatially. So, I would call
11 that as likely related to the presence of a
12 casino.

13 As I said before with traffic
14 collisions, no agency crossed that threshold of
15 two that I like to see to really call it
16 significant. But all of them did increase at
17 least modestly. So, when you have that kind of
18 consistency, I still think there's probably a
19 relationship there.

20 I couldn't calculate statistical
21 significance for the state police because I
22 only had three years of past data from them.
23 But as you can see, it went from an average of
24 547 to 592. It's not a trivial increase even

1 if I can't put a specific number to it.

2 So, with that kind of consistency in
3 the increase, I would say that again with
4 logical ties to the activity that would
5 increase traffic flow with multiple agencies
6 reporting and with complementary increases in
7 other traffic related calls for service,
8 probably we can tie that increase in traffic
9 collisions to the casino.

10 Sorry about that note there. That's
11 an earlier version of the presentation here. I
12 meant to have a map here, but my software
13 decided not to cooperate in time for this
14 presentation.

15 With credit card fraud, it's less
16 clear. Most agencies saw an increase, several
17 of them very significantly. Bur reviewing the
18 cases that we had access to in time for this
19 report, we just couldn't find any kind of
20 relationship. I don't want to get too much in
21 the --

22 CHAIRMAN CROSBY: I'm sorry. You
23 don't include this in crimes? Why is this not
24 a crime?

1 MR. BRUCE: No, it is a crime.

2 CHAIRMAN CROSBY: But I thought you
3 said in an earlier slide there were no
4 appreciable crime --

5 MR. BRUCE: Because I'm not calling
6 this likely related to the casino. This is a
7 possibility. There were no appreciable
8 increases in crime that I would categorize as
9 likely related to Plainridge Park. This is
10 sort of in the middle. There's definitely
11 something going on with this category.

12 It's a very weird category because
13 police practice -- You don't want to hear all
14 of the details probably, but it differs
15 considerably as to how credit card fraud is
16 reported.

17 Let's say my credit card gets stolen
18 here in Boston and it's used to buy something
19 online. That thing is shipped to Salem and I
20 happen to live in Gloucester. That incident
21 could be reported to any of those agencies.
22 So, when you have a category like this and
23 you're looking at the individual reports, some
24 are a mixture of people who live in the area

1 reporting that their card was stolen and used
2 somewhere else.

3 Some of them were used in the local
4 area. Some of them -- Excuse me. The card
5 just happen to be lost or stolen from that
6 area. Basically, police practice as
7 recommended by the Mass. Association of Police
8 Chiefs is whatever agency the victim happens to
9 walk into takes the report, regardless of
10 whether it's specifically called to that
11 agency.

12 So, there's just a weird mix match
13 of things happening in this category in the
14 surrounding area. Spatially, there's no
15 relationship to casino. Again, the animation
16 didn't work but the map wouldn't have shown any
17 kind of incidents around the casino.

18 So, it would make sense for credit
19 card fraud to increase if people wanted to use
20 that crime to get more money to use at the
21 casino. And we do see the increase in multiple
22 agencies. Some of the victims and offenders
23 are from the surrounding area although not a
24 huge number, but there's no spatial

1 relationship.

2 In a review of the data, I couldn't
3 find any indication that any of the offenders
4 had any casino relationship. And there really
5 is no increase in complementary crimes. So, I
6 think it's doubtful there's a Plainridge Park
7 relationship in this category, but something
8 clearly is happening.

9 So, I'm going to help the agencies
10 find out what it is regardless of whether or
11 not we can tie it back to Plainridge Park. But
12 we'll be looking at that much more closely in
13 the one-year report. For now, it's just
14 something to keep monitoring basically.

15 COMMISSIONER ZUNIGA: What would you
16 call complementary crime in the case the credit
17 card?

18 MR. BRUCE: Other types of fraud,
19 bad checks, other types of theft, thefts from
20 shoplifting, thefts from vehicles, thefts from
21 persons. Most of those all went down.

22 COMMISSIONER MACDONALD: The term or
23 the phrase credit card fraud, what does that
24 include?

1 MR. BRUCE: It's anything that
2 includes the illegal use of somebody else's
3 credit card to buy goods and services.

4 COMMISSIONER MACDONALD: Would it
5 include the theft of the credit card?

6 MR. BRUCE: No. The theft of the
7 credit should be recorded as a theft. So, the
8 initial theft would be recorded as whatever,
9 whether it was stolen from a car or person or
10 building. But then the subsequent use of it
11 would be a separate crime and recorded as such.

12 A lot of it is online. And it's
13 hard to determine where exactly it occurred.
14 And obviously, it's really tough to find a
15 relationship between online fraud and the
16 presence of Plainridge Park. It's just that
17 the victims happen to live in the surrounding
18 area. Again, I think it's doubtful there's any
19 Plainridge Park connection.

20 COMMISSIONER ZUNIGA: Is something
21 like this in your further analysis, the one you
22 mentioned for the one-year study, worthwhile
23 thinking of like national trends or other area
24 trends?

1 MR. BRUCE: Absolutely. We'll be
2 looking at what's happening in the surrounding
3 communities as well, and what's happening
4 across the state. If we see a statewide
5 increase in credit card fraud at the same time,
6 then that obviously helps determine there isn't
7 a relationship, it's just a general increase in
8 the area. Yes.

9 For drunk driving, the last thing
10 that I'll cover here because it's the last
11 maybe that we have. We see a big increase in
12 North Attleborough in particular. Remember
13 they had the issue with the coding. So, I'm
14 not sure how much to trust that increase.

15 There is a bit of a concentration on
16 Route 1, but it's important to keep in mind
17 that drunk driving incidents and totals are
18 driven by police activity not necessarily by
19 how much drunk driving there actually is. So,
20 it's hard to really trust those increases.

21 This is something that has to be
22 tempered with an analysis of crashes and
23 alcohol related factors and crashes, which the
24 data unfortunately we won't have until the

1 summer. So, that will have to be part of the
2 annual report for now. It's just something
3 that's with monitoring.

4 So, right now I'm saying there is a
5 logical tie to the activity of the casino.
6 There is a spatial relationship to the casino,
7 but none of those other things so far are true.
8 In a review of a sample of those drunk driving
9 reports, we found one in which the person
10 indicated they were last drinking at Plainridge
11 Park. The rest of them they said no. So, I
12 want to do a more full study on that one over
13 the summer.

14 COMMISSIONER STEBBINS: Do these
15 numbers include not only arrests, but people
16 getting pulled over under suspicion?

17 MR. BRUCE: No. They wouldn't
18 include that. It would be a confirmed drunk
19 driving. So, an arrest or a summons or some
20 other, it's almost always the police department
21 is filing a complaint and usually that's an
22 arrest. But no, if somebody was just pulled
23 over under suspicion and then it turned out
24 they weren't intoxicated, it wouldn't be

1 included in that figure.

2 So, in summary for the first six
3 months of activity, we saw a number of
4 incidents at Plainridge Park itself that are
5 commensurate with similar-sized facilities in
6 the region. I don't think there is any
7 particular cause for alarm in any of the
8 statistics, particularly at Plainridge Park.

9 We saw few significant increases in
10 the surrounding area. Most of those increases
11 were tied to traffic activity complaints,
12 collisions, disabled vehicle, suspicious
13 vehicles.

14 We saw that increase in credit card
15 fraud but there is no indication of Plainridge
16 Park involvement. And some agencies had drunk
17 driving increases but it's too early to say
18 that drunk driving itself is actually
19 increasing in the surrounding area.

20 For the one-year report in the fall
21 of 2016, we'll be looking at -- We'll have a
22 whole year's worth of data to look at. So,
23 that's obviously better than having just six
24 months. We'll do a full analysis of all the

1 major crime types and all of the likely or
2 possible increases in the data. We'll have
3 better traffic collision data for that one.
4 So, we'll be able to do a better analysis of
5 causal factors for collisions including
6 alcohol.

7 I hope that I can get at least
8 summary data from Foxborough. And I want to
9 also tap into Franklin. Foxborough and
10 Franklin have the only hotel clusters in the
11 surrounding area. There's a couple of hotels
12 in the communities that we collected data from
13 but not very many. And I know the increases in
14 area hotel crime is something that people were
15 concerned about. So, in order to really study
16 it, we've got to get more data from the
17 communities that actually have hotels that
18 would service the casino.

19 I hope to look at officers'
20 perceptions. I just want to get their sense of
21 whether they're seeing more activity based on
22 Plainridge Park or not that will help temper
23 the rest of the analysis. And there will be
24 other tests of statistical significance that

1 will help determine more absolutely a causal
2 relationship between increases and the casino
3 presence.

4 So, it's going to be a much longer
5 and thorough report, but I hope the one that
6 you have in front of you is at least edifying
7 for the short-term.

8 Any other questions for me?

9 COMMISSIONER ZUNIGA: Well, it sure
10 is. Just on the last note, do you go back five
11 years -- Did I get that right? -- to get the
12 standard deviation and your degree of
13 confidence?

14 MR. BRUCE: Yes. If you're versed
15 in statistics, I like to do five to seven. A
16 couple of the communities only had data from a
17 little over five years ago. So, we had to
18 limit it to five years.

19 It's technically not enough data to
20 establish what's called a normal distribution
21 that you need to attach those specific
22 percentages to the Z-scores and the
23 calculations that I'm doing. So, statisticians
24 would object on those grounds to some degree to

1 the use of that.

2 But on the other hand there isn't a
3 much better way to do it. We can't go back 30
4 years and collect the crime data. It would be
5 silly to go back all the way to the 80s when
6 the population was vastly different and the
7 business landscape was very different.

8 So, it's something we have to live
9 with in my field all the time. We are
10 naturally limited by a certain amount of data
11 that sometimes isn't enough to establish
12 statistical significance to the level that a
13 researcher would demand, yet it's good enough
14 to establish, I think, to help triage things
15 that we need to focus on and analyze more
16 thoroughly. And that's mostly what I'm using
17 it for here.

18 COMMISSIONER ZUNIGA: So, in the
19 case of just a change of coding, which you
20 reference in a separate example, that could
21 also be a factor on your lookback of five
22 years. Do you sort of take that into account
23 in some form or does it get --

24 MR. BRUCE: That is an unfortunate

1 element in all of this where a couple of the
2 agencies have improved the way that they report
3 incidents and therefore changed their
4 statistics a little bit.

5 Unfortunately, we won't have for
6 another three or four years enough historical
7 data using that new coding scheme to be able to
8 establish averages and standard deviations for
9 past activity. So, right now my approach is to
10 basically work with what we got, but really
11 analyze those categories much more thoroughly
12 when we see an increase.

13 We won't be able to determine what
14 the actual significance of the increase is, but
15 at least we'll be able to determine within the
16 other data that we are collecting whether or
17 not there are any patterns or trends within the
18 data that suggests a Plainridge Park
19 relationship.

20 COMMISSIONER MACDONALD: Are you
21 intending to do some comparisons into crime and
22 call activity in communities outside of the
23 immediate surrounding areas to see whether or
24 not there's anything distinctive about the

1 surrounding communities of the casino?

2 MR. BRUCE: Crime activity,
3 absolutely. Fortunately, since they report in
4 consistent standards to the state police on an
5 annual basis, we should be able to get --
6 There's a bit of a lag in time. So, by the
7 summertime, I should at least be able to get
8 data for the six months at the end of the year,
9 and I can do that comparison.

10 Calls for service activity is much
11 harder, because that is something agencies all
12 have their own practices and how they report
13 it. It was really difficult funneling five
14 agencies into a common coding system for the
15 purposes of this report. It would be even more
16 difficult to do that for say the entirety of
17 Eastern Massachusetts.

18 And they don't report that into a
19 common source anyway. So, that would be a
20 matter of going to each agency and actually
21 pulling the data. I'll look at a couple of
22 control communities for some of the major
23 categories, but I won't be able to do as
24 comprehensive a comparison as I can do with

1 crime.

2 CHAIRMAN CROSBY: Chief, I'd be
3 interested in whether you have any comments on
4 this or reactions, disagreements?

5 MR. BEDROSIAN: Chief, you have
6 button in front of you just to see if you hit
7 the mic green.

8 CHIEF ALFORD: I'd like to thank the
9 Commission for hiring Christopher Bruce. He's
10 done an outstanding job. He's an expert in his
11 field. And for our smaller agencies, we
12 haven't had the opportunity to have a crime
13 analyst work with us. So, this is a plus for
14 our agency and the surrounding agencies as
15 well.

16 One note, credit card fraud, Chris,
17 this isn't something we have discussed, but
18 that also may be coded for gift cards theft as
19 well as credit cards. We have seen a spike in
20 that.

21 We've seen organized groups coming
22 from New Jersey/New York area retail crime,
23 organized groups that are using stolen credit
24 cards, stolen gift cards. So, that might

1 account for some of the spike in the area.

2 Traffic, I think traffic, and Chris
3 mentions it in the report, it's related to the
4 economy recovering. There is growth. There is
5 business growth going on in the area. We have
6 some more major projects that are going to be
7 built around Plainridge. So, the economy has
8 rebounded.

9 And I believe that a lot of our
10 activity is a result of that. We are seeing
11 more activity in our other barrooms for example
12 at night, later at night, where during the
13 recession they were quieter.

14 Traffic absolutely is up in the
15 area. But I would say that in front of
16 Plainridge where we built a new intersection
17 and redesigned Route 152, which we've had a lot
18 of a serious accidents there, no serious
19 accidents, no personal injury accidents. So,
20 that project which was tied into this has
21 certainly made that particular area safer.

22 CHAIRMAN CROSBY: Where the jug
23 handle used to be?

24 CHIEF ALFORD: Yes. It's still

1 there, but we now have a left turn for 152.
2 So, those increases I think are related more to
3 the economy, more related to just that increase
4 in traffic but not directly in front of
5 Plainridge. We are not seeing it there.

6 CHAIRMAN CROSBY: Great. What about
7 just while you're here, the qualitative
8 relationship, working relationship with our
9 state police unit, the local folks in the
10 facility, how does that relationship go?

11 CHIEF ALFORD: We have two officers
12 assigned to the Gaming Commission unit. I
13 think that's going well. I meet with
14 Lieutenant Brian Connors now on a regular
15 basis.

16 This has been a big change for us.
17 We are still working on that but I think it's
18 been going well. I think Plainridge, if you
19 were to look at Plainridge as a large say
20 barroom where there's gambling, put five- or
21 6000 people there a day, we're going to have
22 some incidents there.

23 It would be no different than if it
24 was any other facility where you had alcohol

1 for example. They do have some crimes going on
2 in there as well. We do have activity in the
3 parking lots and the garages. We do have minor
4 accidents in the parking lots, so on and so
5 forth. And there's been a couple of drunk
6 drivers that have left the property and some
7 that have been prosecuted.

8 But as a whole I'm not seeing this
9 big impact at Plainridge, and I'm not seeing a
10 big impact or any impact in the surrounding
11 neighborhoods or the retail establishments
12 along Route 1. So far, so good I guess is the
13 best way to put it.

14 CHAIRMAN CROSBY: Great. Anybody
15 else?

16 COMMISSIONER MACDONALD: Chief, just
17 in terms of what your officers are saying to
18 you, just anecdotally, are you finding that the
19 officers are either complaining or observing or
20 making any kind of observations about whether
21 or not there's been any significant change in
22 the conditions of their work on the account of
23 the casino's operation?

24 CHIEF ALFORD: No. Not around

1 Plainridge, of course we now patrol Plainridge
2 and they will encounter something, say maybe
3 some drug activity in the parking lot.

4 It could be suspicious cars. We've
5 had a car break or two where we've made an
6 arrest, but nothing out of the norm. If you
7 went across the street to the retail plaza, we
8 probably actually have more activity over there
9 than we do at Plainridge. Retail brings a lot
10 of criminal activity, as well as car accidents
11 and other noncriminal activity.

12 So, no they are not seeing any. No
13 one is coming to me and saying, geez, we are
14 really slammed down there at Plainridge.

15 COMMISSIONER MACDONALD: That's what
16 I was wondering.

17 CHIEF ALFORD: No. The officers
18 aren't reporting anything out of the norm.

19 CHAIRMAN CROSBY: This is great.
20 There are two sort of important conditional
21 elements to this. This is the first time that
22 we have had a temporal second report against
23 our baseline data.

24 Our legislation asked us to put

1 together a baseline survey of all of the
2 conditions social, economic, etc. that might be
3 particularly negatively affected, also
4 positively affected, by the introduction of
5 casinos. Everybody's heard about it. We've
6 spent a tremendous amount of money building a
7 baseline database on all of these variables.

8 This is the first time that we've
9 ever had a report looking back to the baseline,
10 measuring against the baseline which is a
11 really signal event. And we're going to have a
12 lot of those over the years as this goes on,
13 not only crime data but every other variable
14 that might be affected.

15 So, this is really significant from
16 the standpoint of this mandate from the
17 Legislature to truly understand for good or ill
18 what happens when you introduce a casino --
19 casinos to Massachusetts.

20 The other thing is, and I think this
21 is something people would be interested in, is
22 because of this system that you all have
23 designed and our local partners in law
24 enforcement have been willing to participate

1 in, we have almost a real-time measuring
2 mechanism.

3 If something started happening,
4 relatively quickly we would pick it up in data,
5 not just anecdotes and be able to say whoa,
6 something is going on. Let's figure this out.
7 Let's assign resources, whatever.

8 You all would obviously have that
9 kind of a system yourself. But in terms of
10 whether or not it's really caused by the
11 casino, we have this almost real-time early
12 warning system to give us a heads up, which I
13 think people would be really interested in
14 knowing about.

15 COMMISSIONER ZUNIGA: And mitigate,
16 and then address it.

17 CHAIRMAN CROSBY: And then we
18 mitigate, right. If all of the sudden you see
19 a whole lot of DUIs coming out of that casino
20 then you would know that we would have to do
21 something.

22 There was something wrong with the
23 alcohol service in that casino. We would know
24 that quickly and be able to move to it quickly.

1 It's a great dimension of this mechanism to
2 protect the public safety of that occurring
3 that's affected in any way by this casino.

4 MR. BEDROSIAN: Mr. Chairman, just
5 to remind you of course, there is a Public
6 Safety Subcommittee who also works with Mr.
7 Bruce. They met yesterday. Commissioner
8 Cameron was voted the chair of that committee.
9 So, that's just another mechanism that could
10 react hopefully in an agile way to increases in
11 data.

12 CHAIRMAN CROSBY: Right. For all of
13 the people, and it's perfectly reasonable, who
14 were concerned about the impacts of this stuff,
15 this is really, really interesting both as a
16 process as well as the substance here.

17 And again, our particular thanks to
18 you for being really a cooperative part of
19 this. It's not easy. Everybody has their own
20 way of doing business. As our conversations,
21 we're talking about dealing with different
22 jurisdictions. In gaming, we talk about
23 jurisdictional chauvinism. We've got
24 jurisdictional chauvinism in your business as

1 well. We really appreciate how much you've
2 been willing to participate with us.

3 CHIEF ALFORD: Thank you.

4 CHAIRMAN CROSBY: Thank you. Great.
5 It's great work, Chris. Thank you.

6 MR. BEDROSIAN: I think we are to my
7 update on Region C, Mr. Chairman?

8 CHAIRMAN CROSBY: We are indeed.

9 MR. BEDROSIAN: So, just a couple of
10 items. We are quickly coming to deliberation,
11 the Commission's deliberation time on Region C,
12 which is scheduled to begin on April 26 and
13 could extend for a four-day period. But before
14 we get to that tentative schedule, I just want
15 to remind folks that we, the Commission staff,
16 are accepting comments on Region C up until
17 this Tuesday, April 19, close of business. We
18 want to give ourselves time to digest and get
19 those comments to Commissioners.

20 CHAIRMAN CROSBY: Ed, excuse me.
21 Elaine, I'm sure you've already got this out
22 there, but that's an important thing for us to
23 put out that we are accepting comments on
24 Region C through the 19th, if it isn't already

1 out there.

2 MR. BEDROSIAN: And as our
3 Communications Director I'm sure will note and
4 put out, there are couple of ways to submit
5 comments. One, obviously, is mail and the
6 other is through mgcccomments@state.ma.us, which
7 we monitor.

8 Then the next is in your materials,
9 you will see a draft schedule for what could be
10 a three- or four-day process. It has
11 suggestions on what would happen in each
12 particular day. I believe this has been worked
13 up with General Counsel Blue and Ombudsman
14 Ziemba. And we have talked to our licensee
15 about this and they are agreeable also.

16 So right now, based on what we have,
17 this would be the tentative schedule of
18 deliberations. Obviously, the unknown would be
19 probably day three and day four about what will
20 be needed when you get into the heart of
21 deliberations.

22 CHAIRMAN CROSBY: These days are
23 going to start at 10?

24 MS. BLUE: Yes, that is my

1 understanding.

2 CHAIRMAN CROSBY: I hear yes in the
3 back, the voice of authority.

4 MR. BEDROSIAN: Yes. So, that is my
5 update.

6 CHAIRMAN CROSBY: This will be done
7 in Brockton.

8 MR. BEDROSIAN: At the Shaw's
9 Center.

10 CHAIRMAN CROSBY: At the Shaw's
11 Center, right.

12 MR. BEDROSIAN: Except with if we
13 needed the last day that Friday would be here.
14 And also, thank you for reminding me. We
15 usually have public meetings on every other
16 Thursday. This would be the every other
17 Thursday. We would not be having a public
18 meeting on that particular Thursday.

19 CHAIRMAN CROSBY: These meetings
20 will be streamed live on the Web as our regular
21 meetings are and eventually archived with video
22 and text on the Web.

23 MR. BEDROSIAN: Yes, Mr. Chairman.

24 CHAIRMAN CROSBY: Great. Any

1 questions about that? Thoughts? Anxieties?

2 All right.

3 COMMISSIONER ZUNIGA: I may be
4 pushing the lunch break toward the later side,
5 but we'll have to deal with that.

6 CHAIRMAN CROSBY: Remind me to bring
7 some snacks.

8 COMMISSIONER ZUNIGA: That finance
9 presentation, we are still timing it but I
10 think it's a good outline here.

11 CHAIRMAN CROSBY: Commissioner
12 Zuniga always likes to push the envelope with
13 his report.

14 COMMISSIONER ZUNIGA: I also get
15 hungry at noon. So, I don't know about that
16 either.

17 CHAIRMAN CROSBY: So, we are ready
18 for item (6), Director Connelly of the
19 licensing division.

20 MR. CONNELLY: It looked like the
21 green light was on. I apologize. Plainridge
22 Park has submitted four amendments to licensed
23 areas for their gaming beverage licenses.

24 The amendments all are changes to

1 the hours, permitted hours of operation. What
2 they've done is they've asked for essentially
3 the maximum permitted timeframe to serve
4 alcoholic beverages from 8:00 AM until 1:00 AM.
5 The statute does not allow for service between
6 the hours of 2:00 and 8:00.

7 So, they've asked for that across
8 these four which would essentially harmonize
9 all of the hours of operation, potential hours
10 of operation across the entire casino.

11 The reason they did this, just as a
12 way of background, was to provide coverage for
13 any special events that might occur. So that
14 if, one for example, recently Flutie's Pub was
15 the site of an autism event. So, it was
16 invitation-only, general patrons couldn't go
17 in. And they were trying to find somewhere to
18 send people if someone wanted to get a drink at
19 11:00 AM that morning. Flutie's wasn't
20 available to them and they wanted to find a
21 workaround.

22 They've also noted that in
23 particular with the Dark Horse Bar and the
24 Mountain Skipper, there are some races that

1 they'll be simulcasting that have earlier
2 morning postings. So, patrons might want to
3 come in and enjoy a beverage earlier than
4 perhaps they had anticipated when they
5 initially asked for the license.

6 So, that is a little bit of the
7 background on these four requests. There
8 wasn't any other substantive change in the
9 amendments. There was only regarding the hours
10 of operation.

11 COMMISSIONER STEBBINS: Paul, I have
12 a question. We talked a little bit about this
13 yesterday. The licensed area application also
14 has to include, and I'm not saying we get into
15 today, but everybody who's licensed or
16 registered for the food and beverage manager,
17 the assistant food and beverage manager, if
18 there were any changes to that, correct me if
19 I'm wrong, they'd have to bring the application
20 back to us for approval again if some of those
21 names change?

22 MR. CONNELLY: So, what we've been
23 doing as a matter of practice, when you look at
24 the applications themselves, they contain a

1 number of important pieces of information.
2 Hours of operation; the specifics of the
3 licensed area to include a map; conditions of
4 how the alcohol will be secured off hours; and
5 those individuals responsible as well as what
6 kind of alcohol will be served and how it will
7 be served.

8 We have as a matter of practice
9 allowing Plainridge to submit requests to
10 change the personnel. We've been doing those
11 as a matter course of business, understanding
12 that people change.

13 Managers or responsible individuals
14 may change. And we didn't want to put any kind
15 of impediment to them keeping that updated
16 because that's important information, but felt
17 that it didn't substantively get to the nature
18 of the license and the conditions. Those
19 individuals may come and go. Frankly, those
20 aren't always decisions that the casino
21 themselves might make. Someone may leave for
22 another job or transfer to a different
23 property. And we didn't want to kind of get in
24 their way.

1 However, anything regarding hours,
2 and this is the first substantive change since
3 they were first awarded in June, we did feel
4 that this was extremely important to bring in
5 front of the Commission for a vote and
6 discussion.

7 COMMISSIONER STEBBINS: I appreciate
8 your willingness for efficiency's sake to kind
9 of engage this as a best practice.

10 I would even suggest Barry whose
11 down there, has been there since the start.
12 Likely, Barry's not going anywhere real fast.
13 I'd be comfortable if we ever come back and
14 look at changes to the actual application
15 process. Listen, Barry's fine. Everybody else
16 is going to still going to be in the system.

17 We know they're either going to be
18 licensed or registered. Just for cleaning up
19 the process. Unless there are any other
20 questions, I'm happy to make a motion to move
21 the changes in the application forward.

22 COMMISSIONER MACDONALD: I have a
23 question, Paul. With all of these
24 establishments going on the 8:00 AM to 1:00 AM

1 authorized period for serving of alcoholic
2 beverages, are any of them actually intending
3 on a routine basis to begin serving that early?

4 MR. CONNELLY: That's an excellent
5 point. The understanding right now is that the
6 hours you see in the current hours of operation
7 will continue to be the general current hours
8 of operation.

9 However, for example, Slacks wanted
10 to open and serve earlier than four, what they
11 would do and what we had discussed, and I
12 apologize, I should have mentioned this up
13 front because it's a very important part,
14 discussed with both the GM and their compliance
15 manager is that a condition of these changes
16 would be if they move outside of the normal
17 operating hours that they will notify the
18 supervising gaming agent in charge so that the
19 gaming agents on the floor will have an
20 awareness that today's an early day for Slacks.
21 Today's an early day for Dark Horse Bar.
22 Because everyone kind of get into a rhythm that
23 they would notify them well in advance of that
24 event and reiterate it the day of.

1 CHAIRMAN CROSBY: Anybody else?

2 COMMISSIONER ZUNIGA: I'm perfectly
3 fine with this. There's a lot that they can do
4 through operations. It sounds like the process
5 that you outlined is perfectly reasonable. And
6 frankly the statute allows them and allows us
7 to grant all of the hours that you articulate
8 here all the way from 8:00 AM to 1:00 AM. So,
9 I'm totally fine.

10 COMMISSIONER STEBBINS: Just a point
11 of information I think for Judge Macdonald's
12 benefit, they are allowed to actually stay open
13 until 2:00.

14 MR. CONNELLY: That's correct.

15 COMMISSIONER STEBBINS: But it was
16 Plainridge's decision to close at 1:00 so they
17 were consistent with other bars in the area so
18 everybody wasn't spilling out of other bars and
19 rushing over to Plainridge for the last call.

20 MR. CONNELLY: That's correct. That
21 was a topic of a lot of discussion up front,
22 and a lot of thought too.

23 COMMISSIONER STEBBINS: Mr. Chair, I
24 would move that the Commission approve the four

1 amended gaming beverage license applications to
2 the licensed areas of Flutie's Sports Pub,
3 Slacks Oyster House, Mountain Skipper Express,
4 Dark Horse Bar at the Plainridge Park Casino as
5 included in the packet.

6 COMMISSIONER ZUNIGA: I second that.

7 CHAIRMAN CROSBY: Further
8 discussion? All in favor, aye.

9 COMMISSIONER MACDONALD: Aye.

10 COMMISSIONER ZUNIGA: Aye.

11 COMMISSIONER STEBBINS: Aye.

12 CHAIRMAN CROSBY: Opposed? The ayes
13 have it unanimously.

14 MR. CONNELLY: Thank you very much.

15 CHAIRMAN CROSBY: Thank you.

16 CHAIRMAN CROSBY: Thank you. We'll
17 take a quick break and come back to the racing
18 division and Director Lightbaum.

19

20 (A recess was taken)

21

22 CHAIRMAN CROSBY: Now we're
23 reconvening meeting 186 at about 11:10. We are
24 going to item number (7) Director Lightbaum of

1 the racing division

2 DR. LIGHTBAUM: Good morning,
3 Commissioners. We had our opening day Monday
4 at Plainridge Racecourse. And operationally it
5 went very smoothly. They had made some
6 significant improvements to the paddock area
7 and some other improvements that were very well
8 received all around.

9 It includes our testing area which
10 is all matted down now so you don't get the
11 dust and all. They also built a built-in bench
12 for all of our people to sit on. And we have a
13 storage area now that we didn't have before.
14 So, that's been wonderful having all of those
15 improvements.

16 CHAIRMAN CROSBY: How was opening
17 day in terms of numbers of horses and quality
18 of horses? Any indications for the purses?

19 MR. O'TOOLE: You're getting way too
20 schooled in the industry to be asking those
21 kinds of questions.

22 We were really pleased with the
23 turnout for the entry box. We actually held 40
24 entries over from Monday, Tuesday draw for

1 today's card. So, we had a significant amount
2 of horses in the box when they drew for today's
3 card which is going on this afternoon.

4 Last year, I think the third card of
5 the week had 12 entries in it. And none of
6 them were held over. So, they started at zero.
7 So, we started at 40 for today and we have a
8 full card again today. That's the good news.

9 The bad news is Scarborough adds a
10 third day in two weeks and Bangor opens up a
11 couple of weeks after that. So, some of those
12 folks will be staying put, but we also have
13 some participation from New Jersey and New
14 York, trainers that have entered with some ties
15 to Massachusetts, which is good, ties to New
16 England.

17 So, we have some people coming back.
18 The purses were very good. We started off very
19 similar to where we ended last year. We have
20 to conserve a little bit because of the 10 more
21 days that we're going this year. But it looks
22 like once we get into the meet, we can estimate
23 out a little bit better. I can see little bit
24 of an increase coming. But we do have to

1 conserve because of the extra days.

2 CHAIRMAN CROSBY: How do our purses
3 compare to Scarborough and Bangor?

4 MR. O'TOOLE: Our purses compare
5 very well to those two tracks. They also are
6 gaming-infused purse accounts up there.

7 The problem they have in Maine or
8 the problem that we have from Maine racing is
9 that they race a lot of days. And those
10 obviously would be horses that we could get.
11 Not only the tracks -- Bangor doesn't race that
12 many days. They race about 50 days.
13 Scarborough goes 100.

14 But they have 10 or 12 fairs
15 throughout the fall that the Maine folks just
16 love to participate in. And they have
17 breeder's awards and things like that that go
18 on during those fairs. They kind of stay put
19 in the fall.

20 In total, they give away more purse
21 money than we do but it's all over the place.
22 We are stacking up very well with our purses as
23 far as Saratoga Harness and Monticello.
24 Obviously, we're never going to have purses

1 like Meadowlands and Yonkers, but we hope to be
2 in the middle there between the Saratoga and
3 Monticello purses and the Yonkers and
4 Meadowlands purse structures.

5 CHAIRMAN CROSBY: Great. There was
6 something else I was going to ask.

7 COMMISSIONER MACDONALD: Can I just
8 ask a question? Were there any capital
9 improvements to the track this winter since
10 last season?

11 MR. O'TOOLE: There was. I think we
12 put about 1600 tons of stone dust down from the
13 middle of February to opening day. Of course,
14 there's always maintenance going on at the
15 track. That's the track surface itself.

16 Also, we've done a lot of drainage
17 work that is still going on. We just picked it
18 up and started working on that again. We had
19 to stop last fall after the weather got a
20 little tough. We have a new video display
21 board going in to complement the existing tote
22 board.

23 So, we're going to be disrupting
24 that at the end of this month with the approval

1 of the cap. ex. fund. So, we're going to be
2 distributing the area pretty good. And then we
3 should be able to finish the infield
4 improvements at that point in time.

5 CHAIRMAN CROSBY: We're up to how
6 many days this year?

7 COMMISSIONER ZUNIGA: 115.

8 MR. O'TOOLE: 115.

9 CHAIRMAN CROSBY: Is that statutory?

10 DR. LIGHTBAUM: Yes.

11 COMMISSIONER ZUNIGA: 125 next year.

12 DR. LIGHTBAUM: Yes, 125 next year.

13 And that's in the gaming side of the
14 legislation.

15 COMMISSIONER ZUNIGA: That's the
16 Gaming Act and then up to us the year after
17 that.

18 CHAIRMAN CROSBY: Up to us the after
19 that that's right, okay, with no statutory
20 minimum after that.

21 DR. LIGHTBAUM: Right.

22 CHAIRMAN CROSBY: That will be
23 interesting to try to figure out where is the
24 sweet spot.

1 COMMISSIONER ZUNIGA: Absolutely,
2 because it could go either way as far as I can
3 see more has some benefits, less has other
4 benefits and it's all a balance.

5 MR. O'TOOLE: There's some turmoil
6 in our neighboring state, Maine too, at
7 Scarborough Downs. Scarborough is not tied to
8 any gaming company. It's strictly a racetrack.
9 And there is a recent either referendum or vote
10 in the Legislature for a casino in southern
11 Maine that was not adopted. So, that kind of
12 puts them in flux again for another season.

13 COMMISSIONER ZUNIGA: How long do
14 you go to November -- remind me.

15 MR. O'TOOLE: November 29 or 30.

16 COMMISSIONER ZUNIGA: Because you're
17 racing three or four days a week?

18 MR. O'TOOLE: We go three days a
19 week for three months and four days a week for
20 the other five months.

21 COMMISSIONER ZUNIGA: Okay.

22 CHAIRMAN CROSBY: And our E.D. went
23 to the opening day first time.

24 MR. BEDROSIAN: I did. I was very

1 impressed. Mr. O'Toole was busy I think in the
2 lead car. I don't know if he was driving or
3 not. I'll tell you not having been to a track
4 and not really knowing the industry, it was
5 very well organized.

6 The barn area was very clean. And
7 everyone seemed to know exactly what they
8 needed to do. I went up with the judges and
9 they were very complimentary of Plainridge's
10 addition of a new technology that helped them
11 judge the races.

12 So, everyone was doing their job. I
13 saw two or three races and they went off
14 without a hitch. At least the folks there
15 seemed to be enjoying themselves.

16 CHAIRMAN CROSBY: And you didn't get
17 to ride in the lead car?

18 MR. BEDROSIAN: At that point, I did
19 not.

20 DR. LIGHTBAUM: We're going to have
21 him do it the next time he comes down.

22 MR. BEDROSIAN: It was quite a scene
23 to see.

24 CHAIRMAN CROSBY: Great. Okay.

1 DR. LIGHTBAUM: Just to get back to
2 a few of the points Steve made. The average
3 field size for the first three days last year
4 was 6.9 and this year it's going to be 7.5.

5 So, that's a significant
6 improvement. It ends up being over 40 more
7 horses will race this week than in the opening
8 week before, which is very impressive. And
9 again, the number of races has increased too
10 which really makes a difference.

11 The purses, even though Steve said
12 they're not going to be too much bigger right
13 away, we're significantly bigger than they were
14 at this time last year. Last year, the opening
15 day the purse total was a little over \$30,000.
16 And it looked like on Monday it was around
17 \$55,000. So, that is a significant increase
18 that people see right away.

19 On the licensing end, we're seeing a
20 lot of new people just in this first week.
21 That's an encouraging sign.

22 CHAIRMAN CROSBY: New people getting
23 licensed.

24 DR. LIGHTBAUM: Right, that haven't

1 been licensed with us before. Or maybe they
2 were several years ago and haven't been back in
3 a while. So, that's encouraging.

4 This year we have the fingerprinting
5 that's in the Commission office. It's not the
6 one that comes and goes. So, the state police
7 have been able to keep up with fingerprinting
8 as the people come in, which has been
9 wonderful. They did around 20 or whatever the
10 first two days right away with people.

11 It looked like the live handle was
12 up. Of course, sometimes with the handles, it
13 varies from day to day. Last year, we did a
14 Wednesday, Thursday, Sunday the first week.
15 This time we're doing Monday, Tuesday,
16 Thursday. So, there's a little difference
17 there, but live handle was up.

18 And the betting from other tracks in
19 simulcast areas onto our product was
20 significantly increased. So, it'll be
21 interesting to see if we can keep that up.

22 COMMISSIONER MACDONALD: Alex, I
23 already know the answer to this question, but
24 what is a live handle?

1 DR. LIGHTBAUM: That's what's bet on
2 our actual live races that are being held at
3 Plainridge versus simulcasting.

4 COMMISSIONER MACDONALD: Okay.

5 DR. LIGHTBAUM: We had quite a few
6 meetings before the meet, which I think helps
7 the opening goes smoothly. We met with Steve
8 and his racing officials.

9 Then we had another meeting with
10 security and the state police to go over
11 procedures and how we wanted to do that.
12 There's been some reconfigurations of gates and
13 things like that. So, that was important to
14 do. We had our usual meet with the horsemen
15 right before the meet opened just to kind of
16 talk about anything that's new and
17 expectations.

18 And then something new that we did
19 this year, the judges met with the drivers
20 ahead of time too, again, to discuss what
21 expectations are and try to get everybody on
22 the same page.

23 Plainridge has also had their track
24 person come out, Ed Ryan came out and looked at

1 the track to evaluate it, which is one of the
2 requirements that the Commission had put on
3 their license. So, we'll be getting a report
4 from him. Just verbally, he had no concerns
5 with the racetrack. So, we'll be getting that.

6 Just something separate from the
7 Plainridge, if I could mention. Justin
8 Stempeck from our legal department and I went
9 to the RCI conference a couple of weeks ago.

10 CHAIRMAN CROSBY: RCI?

11 DR. LIGHTBAUM: The Association of
12 Racing Commissioners International, and he
13 actually presented on the fantasy sports there.
14 It was a very well received topic that he gave.
15 And he got a great reception. So, I just
16 wanted to give a shout out.

17 COMMISSIONER ZUNIGA: Where was it?

18 DR. LIGHTBAUM: It was in Louisiana
19 in New Orleans, it's their annual convention,
20 cover all sorts of racing topics.

21 CHAIRMAN CROSBY: Great.

22 DR. LIGHTBAUM: If you don't have
23 any other questions on opening day, I'll turn
24 it over to Doug now.

1 CHAIRMAN CROSBY: Anybody else on
2 opening day?

3 COMMISSIONER ZUNIGA: No. We'll
4 have to make it out there soon.

5 CHAIRMAN CROSBY: Yes.

6 MR. O'DONNELL: Good morning. We
7 have a few things on the agenda today that we
8 need the Commission's authorization.

9 The first one would be the 2014
10 reimbursement of the unclaimed tickets at all
11 of the respective tracks. For the dog tracks,
12 the monies -- It's in the statute that the
13 unclaimed tickets are paid to the Commission by
14 April 1 of the following year. So, they would
15 have paid that money. And we did receive that
16 money on April 1.

17 Now we need to reimburse that money
18 to the stabilization fund for the dog tracks
19 which would be for Wonderland it's \$21,651,
20 Raynham is \$156,505. It's pretty comparable to
21 what it was last year as well. It seems to
22 stay in line with the amounts that are sent
23 back to the unclaimed tickets. So, we'll need
24 your authorization for that to go back to the

1 stabilization fund for the dog tracks.

2 And for the horse tracks, Sterling
3 and Plainridge that goes back to the purse
4 accounts. Sterling's which is Suffolk Downs is
5 \$267,353, and Plainridge is \$136,716.

6 COMMISSIONER ZUNIGA: I have a
7 question, when is that racing stabilization
8 fund expiring?

9 MS. BLUE: Unfortunately, the fund
10 doesn't expire. Our requirement to make
11 payments out of it expired in June '14.

12 COMMISSIONER ZUNIGA: That was not
13 the unclaimed tickets. That was the --

14 MS. BLUE: No. That includes all of
15 the payments that get made into it. The funds
16 unfortunately still exist. We are not required
17 to make payments out of it anymore. So, it's
18 one of the questions that we would like have
19 addressed by the Legislature in terms of the
20 racing act.

21 COMMISSIONER ZUNIGA: How about the
22 decision today?

23 MS. BLUE: This money here?

24 COMMISSIONER ZUNIGA: Yes.

1 MS. BLUE: It will go into the fund
2 and it will sit there.

3 COMMISSIONER ZUNIGA: Even though we
4 are technically not authorized or required to
5 make those payments?

6 MS. BLUE: We can't make payments
7 out of it. We do have to collect the payments
8 still to go into it.

9 COMMISSIONER ZUNIGA: Oh.

10 MS. BLUE: I apologize. Yes, we
11 have to collect the payments. It goes in and
12 it sits there. It has to stay there. The
13 legislation doesn't let anyone touch it.

14 DR. LIGHTBAUM: There's just not a
15 mechanism for the money to pay out.

16 COMMISSIONER ZUNIGA: To pay out,
17 good enough.

18 COMMISSIONER MACDONALD: Have we
19 made any efforts to amend the legislation?

20 COMMISSIONER ZUNIGA: Yes.

21 MS. BLUE: Yes.

22 CHAIRMAN CROSBY: We have a bill
23 sitting up there now with some vague hope I
24 think that it will get dealt with this session

1 because we've got lots of problems if it
2 doesn't. There's a lot of things sunsetting
3 come the end of July. The whole thing, the
4 whole statutory framework is going to sunset at
5 the end of July. So, something will happen,
6 I'm sure.

7 We don't have Commissioner Cameron
8 here to move action on racing. Commissioner
9 Zuniga?

10 COMMISSIONER ZUNIGA: Sure. I'll be
11 happy to move that this Commission authorize
12 the reimbursement of unclaimed tickets to the
13 stabilization fund for the dog tracks as
14 outlined in the packet Wonderland Greyhound
15 Park for \$21,651 and Raynham/Taunton Greyhound
16 for \$156,505.

17 COMMISSIONER STEBBINS: Second.

18 CHAIRMAN CROSBY: There actually are
19 the pennies -- and change on there.

20 COMMISSIONER ZUNIGA: Let me amend
21 my motion to make sure that Wonderland is for
22 \$21,651.19 and for Raynham/Taunton \$156,505.69.

23 COMMISSIONER STEBBINS: Now I'll
24 second.

1 CHAIRMAN CROSBY: Discussion? All
2 in favor, aye.

3 COMMISSIONER MACDONALD: Aye.

4 COMMISSIONER ZUNIGA: Aye.

5 COMMISSIONER STEBBINS: Aye.

6 CHAIRMAN CROSBY: Opposed? The ayes
7 have it unanimously.

8 COMMISSIONER ZUNIGA: I further move
9 that this Commission approve the reimbursement
10 of unclaimed tickets to the purse accounts for
11 the following horse tracks as follows: for
12 Sterling Suffolk Downs \$267,353.48, and for
13 Plainridge Racecourse \$136,716.99.

14 COMMISSIONER STEBBINS: Second.

15 CHAIRMAN CROSBY: Discussion? All
16 in favor, aye.

17 COMMISSIONER MACDONALD: Aye.

18 COMMISSIONER ZUNIGA: Aye.

19 COMMISSIONER STEBBINS: Aye.

20 CHAIRMAN CROSBY: Opposed? The ayes
21 have it unanimously.

22 CHAIRMAN CROSBY: Next up?

23 MR. O'DONNELL: Next that we have on
24 the agenda is the local aid distribution that

1 is paid to the cities and towns where racing
2 and simulcasting takes place.

3 This is done in -- This is paid
4 quarterly for six month in arrears. So, the
5 March 31 payment for \$210,749.39 would be for
6 total handles July, August and September 2015.
7 We do need to Commission's approval to
8 distribute these funds.

9 CHAIRMAN CROSBY: Discussion?

10 COMMISSIONER ZUNIGA: Is this for
11 Plainridge -- I mean Plainville?

12 MR. O'DONNELL: This is the total
13 amount. If you see the next page, it'll have
14 the computation of local aid distribution,
15 which will show all the cities and towns,
16 Boston, Revere, Plainville and Raynham. It's
17 broken down where the distribution goes.

18 COMMISSIONER ZUNIGA: Yes.

19 CHAIRMAN CROSBY: Discussion?

20 COMMISSIONER STEBBINS: Mr. Chair, I
21 would move that the Commission authorize the
22 local aid quarterly payment of \$210,749.39 to
23 the appropriate cities and towns as listed in
24 the packet.

1 CHAIRMAN CROSBY: Second?

2 COMMISSIONER MACDONALD: Second.

3 CHAIRMAN CROSBY: Discussion? All
4 in favor, aye.

5 COMMISSIONER MACDONALD: Aye.

6 COMMISSIONER ZUNIGA: Aye.

7 COMMISSIONER STEBBINS: Aye.

8 CHAIRMAN CROSBY: Opposed? The ayes
9 have it unanimously. Next up?

10 MR. O'DONNELL: Next, we have a
11 request for consideration with our Plainridge
12 Racecourse capital improvement trust fund.
13 They have two requests today. The first one is
14 for \$123,326 which is for the renovations to
15 the paddock and the shipping barns. We have a
16 letter from our architect Dixon Salo who has
17 reviewed the project and met with Mr. O'Toole.
18 We also have a letter from Mr. O'Toole
19 regarding the request for the work that has
20 been performed for this capital improvement.

21 COMMISSIONER ZUNIGA: These were
22 some of the ones you were outlining in your
23 prior remarks?

24 DR. LIGHTBAUM: Yes, right. A lot

1 of this work has already been done.

2 COMMISSIONER MACDONALD: And the
3 architectural firm works for us; is that right?

4 MR. O'DONNELL: It's an independent
5 architectural firm that we contract with, yes.

6 COMMISSIONER MACDONALD: Engaged and
7 paid by us to review these?

8 MR. O'DONNELL: Correct.

9 DR. LIGHTBAUM: Yes, correct.

10 COMMISSIONER STEBBINS: You know how
11 much I love this legacy program that we're
12 stuck with.

13 MR. O'DONNELL: We've discussed
14 this.

15 CHAIRMAN CROSBY: It's the circular
16 -- It's their money. They give it to us, we
17 give it back.

18 MR. O'DONNELL: Right. But we'll be
19 back again once the work is completed and the
20 architect goes out and reviews it again to
21 disburse the monies to them.

22 COMMISSIONER ZUNIGA: It's all in
23 the statute.

24 CHAIRMAN CROSBY: Anybody ready to

1 move?

2 COMMISSIONER ZUNIGA: Sure. I'd be
3 happy to move that the Commission approve the
4 request for consideration from Plainridge
5 Racecourse for its capital improvement trust
6 for the total of \$123,326 for the scope
7 articulated here in the packet.

8 CHAIRMAN CROSBY: Second?

9 COMMISSIONER MACDONALD: Second.

10 CHAIRMAN CROSBY: Further
11 discussion? All in favor, aye.

12 COMMISSIONER MACDONALD: Aye.

13 COMMISSIONER ZUNIGA: Aye.

14 COMMISSIONER STEBBINS: Aye.

15 CHAIRMAN CROSBY: Opposed? The ayes
16 have it unanimously.

17 MR. O'DONNELL: They also have a
18 second request for consideration for a total of
19 \$188,980 for the high-definition video tote
20 board that Mr. O'Toole had discussed earlier.
21 Again, the architect had been out, met with Mr.
22 O'Toole, approved the work to be done. And
23 we're just waiting for it to get completed at
24 this point. I believe Steve said it would

1 probably be done by the end of the month.

2 CHAIRMAN CROSBY: Any discussion?

3 Do I have a motion?

4 COMMISSIONER MACDONALD: Let me just
5 ask, what enhancement does this give to what's
6 currently in operation out there?

7 MR. O'TOOLE: So, right now we have
8 a very static tote board. It gives payoffs.
9 It was supposed to be a new innovation, the
10 foreni (PHONETIC) board and it looks like
11 lights, but it's actually just little dots that
12 flip magnetically. They're yellow and they
13 close and they open.

14 That's how you get your numbers and
15 everything, just like a scoreboard at a ball
16 field, but it's very static. There's no
17 moving, for lack of a better term, moving parts
18 to it. The video display board is a little bit
19 bigger. It's in addition to that board.

20 We can do messages with the foreni
21 (PHONETIC) board. It gives odds at the time of
22 the race, but the video board we'll be able to
23 show replays of the races to the fans that are
24 sitting or standing outside as well as maybe

1 like on big race days at night Meadowlands. We
2 can put Meadowlands up there. On Kentucky
3 Derby Day, we could have the Derby out there.
4 People could be outside and watching it out
5 there on the big board, very similar to Fenway
6 Park the display that's in the center, not
7 quite that large.

8 And this particular board is very
9 high def. because it's very close. So, if you
10 see the billboards when you're driving on the
11 expressway, those actually are not quite as
12 high def. because from further away you can
13 make it out better. But this is very close to
14 the fans, we got, I think, it's called 10 MM,
15 which is the highest level you can get because
16 of the close display. It's pretty impressive.

17 And RSI, Racing Systems
18 International that is doing the install,
19 they're install two right now, one in Indiana.
20 They've done Arlington Park. They've done
21 Hoosier. They've done a lot of tracks. And
22 they really do nice work and it came out really
23 good.

24 COMMISSIONER STEBBINS: The

1 technology, because the board is somewhat
2 facing west, the view doesn't diminish because
3 of the technology when the sun is setting.
4 It'll still look like you're --

5 MR. O'TOOLE: Correct. That's one
6 of the advantages of the highest definition.
7 If it's going to be a bright day, it's as
8 vibrant as if it was at nighttime.

9 CHAIRMAN CROSBY: Great. Motion?

10 COMMISSIONER ZUNIGA: I move that
11 the Commission approve the request for
12 consideration for the Plainridge Racecourse
13 capital improvement trust for the second
14 project outlined here in the packet totaling
15 \$188,980 for the scope as well articulated
16 here.

17 COMMISSIONER MACDONALD: Second.

18 CHAIRMAN CROSBY: Further
19 discussion? All in favor, aye.

20 COMMISSIONER MACDONALD: Aye.

21 COMMISSIONER ZUNIGA: Aye.

22 COMMISSIONER STEBBINS: Aye.

23 CHAIRMAN CROSBY: Opposed? The ayes
24 have it unanimously. Item (e).

1 DR. LIGHTBAUM: So, in front of you
2 now, you have a request from Steve O'Toole for
3 their 15 special events. This is a standard
4 operating procedure that we go through. It's
5 in addition to their premium free periods. And
6 it does require a vote.

7 CHAIRMAN CROSBY: I don't remember
8 this from last time. Why do we have to approve
9 this? What's special about this?

10 COMMISSIONER ZUNIGA: But also
11 premium free?

12 DR. LIGHTBAUM: Yes.

13 MR. O'TOOLE: There are two things
14 that are special about it. One is kind of
15 nonexistent right now. When Suffolk Downs
16 races live, we are restricted from taking
17 unlimited thoroughbred tracks. We have to pare
18 it down to the most important ones, two or
19 three. So, if there was a big race going on at
20 another venue, we would apply for a special
21 event for that particular race so we could take
22 it outside. And it's also premium free in the
23 Legislature.

24 Now, basically putting in for just

1 the premium free aspect of the special events.

2 CHAIRMAN CROSBY: Okay.

3 COMMISSIONER ZUNIGA: Helping the
4 industry a little bit.

5 COMMISSIONER STEBBINS: You could
6 use the video board.

7 COMMISSIONER MACDONALD: And the
8 simulcast presentation there, Steve, is this
9 done outside or would these be on screens
10 inside the facility?

11 MR. O'TOOLE: It's a race that's
12 carried as a regular part of our simulcast menu
13 with any other track that we have.

14 When we were restricted, let's say
15 we were taking Churchill, Belmont and
16 Gulfstream on that particular day. And there
17 was big race us at San Anita when Suffolk Downs
18 was racing. We'd actually only take that one
19 race, would extract that one race and show it
20 to our customers on a designated channel and
21 then again shut the signal off for the
22 following races and the races before.

23 Now because Suffolk wouldn't be
24 racing, it would just be on the card but we

1 would take advantage of the premium free status
2 of the special event.

3 CHAIRMAN CROSBY: Can you stream
4 live video onto your video board? Could you
5 stream the race onto --

6 MR. O'TOOLE: The new one?

7 CHAIRMAN CROSBY: Yes.

8 MR. O'TOOLE: Yes. We can put
9 anything up there. We can put advertisements.
10 We'll be able to put your name in lights when
11 you come to visit us. We'll be able to do our
12 own presentation real-time and replays,
13 messages.

14 CHAIRMAN CROSBY: So, when the
15 Kentucky Derby runs, you could put it up on
16 that screen.

17 MR. O'TOOLE: We will definitely
18 have the Kentucky Derby on that screen.

19 CHAIRMAN CROSBY: That's cool.
20 Great.

21 COMMISSIONER STEBBINS: Mr. Chair, I
22 would move the Commission approve the request
23 of Plainridge Park Casino's simulcast 15 races
24 listed on their letter dated March 28, 2016 as

1 special events.

2 CHAIRMAN CROSBY: Second?

3 COMMISSIONER MACDONALD: Second.

4 CHAIRMAN CROSBY: Any further
5 discussion? All in favor, aye.

6 COMMISSIONER MACDONALD: Aye.

7 COMMISSIONER ZUNIGA: Aye.

8 COMMISSIONER STEBBINS: Aye.

9 CHAIRMAN CROSBY: Opposed? The ayes
10 have it unanimously.

11 MR. O'TOOLE: Thank you, very much,
12 Commissioners for your considerations on those
13 matters.

14 CHAIRMAN CROSBY: Thank you, Steve.
15 And congratulations on a good day.

16 DR. LIGHTBAUM: Now Catherine's got
17 the regulations that we're going to send onto
18 the Legislature with your approval.

19 MS. BLUE: In your packet, you have
20 the amendments to 205 CMR 3.00 and 205 CMR 4.00
21 that you've seen before.

22 These are the medication and safety
23 changes to the racing regulations. You
24 approved us to take them through the

1 promulgation process. We have had a public
2 hearing on them. We have received no comments.

3 We're asking today that you vote to
4 approve staff to send them to the Legislature.
5 The Legislature has 60 days to review it. If
6 we get no comments or changes from the
7 Legislature, we will be back before you with an
8 amended small business impact statement and
9 then we'll finalize them. So, this is just
10 that extra step for racing regulations that it
11 has to go the Legislature.

12 COMMISSIONER ZUNIGA: We already had
13 a hearing and got comments, correct?

14 MS. BLUE: Yes, we did.

15 CHAIRMAN CROSBY: Any questions
16 about this? These are pretty straightforward.
17 Anybody?

18 COMMISSIONER ZUNIGA: I'll move that
19 the Commission approve regulations -- approve
20 staff to send regulations to the Legislature.
21 The regulations are 205 CMR 3.11 --

22 CHAIRMAN CROSBY: Why don't you take
23 it off this, off the agenda.

24 MS. BLUE: It's just the amendments

1 to 3.00 and 4.00 that are included in your
2 packet.

3 COMMISSIONER ZUNIGA: Let me
4 rephrase. I move that the Commission approve
5 the amendments included in the packet for
6 regulations 205 CMR 3.00, the Harness Horse
7 Racing regulations and 205 CMR 4.00, the Rules
8 of Horse Racing and send to the Legislature.

9 CHAIRMAN CROSBY: Second?

10 COMMISSIONER MACDONALD: Second.

11 CHAIRMAN CROSBY: Further
12 discussion? All in favor, aye.

13 COMMISSIONER MACDONALD: Aye.

14 COMMISSIONER ZUNIGA: Aye.

15 COMMISSIONER STEBBINS: Aye.

16 CHAIRMAN CROSBY: Opposed? The ayes
17 have it unanimously.

18 CHAIRMAN CROSBY: Next up is General
19 Counsel Blue.

20 COMMISSIONER STEBBINS: I think we
21 need to acknowledge Doug. I think this is the
22 first time you've been back in front of us
23 since your permanent appointment as our Senior
24 Financial Analyst, so congratulations.

1 MR. O'DONNELL: Thank you.

2 CHAIRMAN CROSBY: That didn't take
3 long. General Counsel Blue item 8, I believe.

4 MS. BLUE: Yes. Thank you,
5 Commissioners. In your packet today, you have
6 amended small business impact statements and
7 final draft regulations for promulgation for
8 205 CMR 133, 205 CMR 152, and 205 CMR 143.

9 These are all regulations that you
10 approved for staff to take through the final
11 promulgation process. We have taken them to
12 public hearing. We received few if any
13 comments. We received no comments at our
14 public hearing that we held. We did receive a
15 few comments in writing.

16 We have reviewed those and
17 incorporated those where appropriate. So, what
18 we are asking now is a vote for these
19 regulations to finalize the promulgation.
20 We'll file the amended small business impact
21 statement and file them with the Secretary of
22 State.

23 CHAIRMAN CROSBY: Let's do take
24 these one by one because I think they're

1 interesting enough. So, do you want to just
2 give us a quick summary of 133.06, what's
3 happened here.

4 MS. BLUE: We've seen these before.
5 I can if you like. We've had a number of
6 conversations about them.

7 CHAIRMAN CROSBY: This is the one --
8 I forget whether you were here.

9 COMMISSIONER MACDONALD: Yes, I was.

10 CHAIRMAN CROSBY: This is the one
11 that we discussed about basically the question
12 was what's winnings and if you've just put
13 money in the machine but haven't actually used
14 it yet, even if it is discernible that that
15 would not be returned to you. That would be
16 construed as winnings.

17 COMMISSIONER ZUNIGA: Yes.

18 CHAIRMAN CROSBY: This is what this
19 now says. Any discussion on 133.06? Can we do
20 the small business amendment with it?

21 MS. BLUE: Yes, please.

22 CHAIRMAN CROSBY: Do I have a motion
23 on the reg. amendment and the small business
24 statement?

1 COMMISSIONER ZUNIGA: Sure. I will
2 move that the Commission approve the final
3 draft and promulgation of 205 CMR 133, the
4 voluntary self-exclusion regulation as amended
5 by the packet and direct staff to direct the
6 Secretary of State for final promulgation.

7 CHAIRMAN CROSBY: Second?

8 COMMISSIONER MACDONALD: Second.

9 CHAIRMAN CROSBY: Further
10 discussion? All in favor, aye.

11 COMMISSIONER MACDONALD: Aye.

12 COMMISSIONER ZUNIGA: Aye.

13 COMMISSIONER STEBBINS: Aye.

14 CHAIRMAN CROSBY: Opposed? The ayes
15 have it unanimously.

16 COMMISSIONER ZUNIGA: I don't know
17 if I did the amended small business impact
18 statement.

19 MS. BLUE: You can add to that.

20 COMMISSIONER ZUNIGA: Let me add to
21 that motion to include the associated amended
22 small business impact statement for regulation
23 205 CMR 133, the voluntary self-exclusion
24 regulation.

1 COMMISSIONER MACDONALD: Second.

2 CHAIRMAN CROSBY: Is this a new vote
3 now?

4 MS. BLUE: Yes.

5 CHAIRMAN CROSBY: Any discussion on
6 the VSE? Is that what this is?

7 COMMISSIONER ZUNIGA: Yes. It's the
8 same regulation, I just added the small
9 business impact statement.

10 CHAIRMAN CROSBY: Right. Wait a
11 second, you originally talked about 133.06.

12 COMMISSIONER ZUNIGA: Yes, but in my
13 first motion I only included the regulation. I
14 did not include the small business impact
15 statement.

16 CHAIRMAN CROSBY: You're not doing
17 152.04.

18 MS. BLUE: That's next.

19 CHAIRMAN CROSBY: This is just in
20 tab (a), two items in tab (a).

21 COMMISSIONER ZUNIGA: Yes.

22 CHAIRMAN CROSBY: Did we get a
23 second?

24 COMMISSIONER MACDONALD: I did.

1 CHAIRMAN CROSBY: Further
2 discussion? All in favor, aye.

3 COMMISSIONER MACDONALD: Aye.

4 COMMISSIONER ZUNIGA: Aye.

5 COMMISSIONER STEBBINS: Aye.

6 CHAIRMAN CROSBY: Opposed? The ayes
7 have it unanimously.

8 MS. BLUE: On 205 CMR 152, this was
9 the amendments -- We made amendments to this
10 regulation. This is the regulation for people
11 who are added to the excluded list. This
12 clarifies the process by which people can be
13 added to that list and how the IEB treats that.

14 CHAIRMAN CROSBY: What was the nut
15 of the issue here?

16 MR. GROSSMAN: Good morning. There
17 was concern that folks would be added to the
18 list without any process being offered first.
19 So, what this amendment does is it adds a
20 hearing before a hearing officer into the
21 process before one is added to the list. And
22 then it affords the opportunity --

23 CHAIRMAN CROSBY: Okay, I'm sorry.
24 I said voluntary self-exclusion. This is the

1 mandatory exclusion.

2 MR. GROSSMAN: This is involuntary.

3 MS. BLUE: This is the exclusion
4 list, yes.

5 CHAIRMAN CROSBY: I'm sorry.

6 MR. GROSSMAN: That's basically what
7 this is.

8 CHAIRMAN CROSBY: I'm sorry, my
9 mistake.

10 COMMISSIONER MACDONALD: Mr.
11 Grossman, can I ask a technical question here
12 on this. With reference to the hearing officer
13 and in subsection 4 it includes a sentence that
14 if the hearing officer finds that the
15 individual meets one or more criteria for
16 inclusion -- what is the burden of proof on
17 that?

18 MR. GROSSMAN: In our hearing regs.,
19 I believe we set out the burden as substantial
20 evidence.

21 COMMISSIONER MACDONALD: Is it
22 substantial evidence?

23 MS. BLUE: Yes, it is in our hearing
24 regulation 101. And it complies with the

1 general burden of proof standard as you see in
2 court.

3 MR. GROSSMAN: From Chapter 30A.
4 The courts review administrative decision to
5 determine whether there was substantial
6 evidence to support whatever conclusions were
7 reached.

8 COMMISSIONER MACDONALD: But the
9 standard of review of substantial evidence is
10 different from the burden of proof. The
11 hearing officer simply have to find more likely
12 than not a preponderance of the evidence?

13 MS. BLUE: We had significant
14 discussions on this when we did the hearing
15 regulation. We did not spell out a particular
16 burden of proof. We did have a standard of
17 review.

18 So, we've left that to the hearing
19 officer to determine. The distinction between
20 burden of proof and standard of review, we do
21 advise the hearing officer to use substantial
22 evidence standard. The review is did we behave
23 in an arbitrary capricious manner.

24 But when we talked about the hearing

1 reg. 101, we did not put in a particular burden
2 of proof in that reg.

3 CHAIRMAN CROSBY: Why not?

4 MS. BLUE: Because at the time, we
5 thought it would not be an appropriate thing to
6 do. But I have not looked at 101. 101 goes
7 through the factors that you would find if you
8 were to look at a case law on the burden of
9 proof. I believe they are in 101. I'd have to
10 go back and check. But we did have significant
11 conversations about that.

12 CHAIRMAN CROSBY: That might be one
13 for you to take a look at when you get around
14 to it. It's the kind of thing we are
15 rethinking now that time has gone by. We're
16 rethinking everything.

17 MR. GROSSMAN: I would just add that
18 it's a great question. And it's one that's
19 come up for the past 10 years of my career
20 anyway. There is as far as I'm aware no burden
21 of proof for administrative law cases.

22 MS. BLUE: That's as far as it goes.

23 MR. GROSSMAN: It's just the
24 standard of review. So, what we have done and

1 what I have always done is set that as
2 essentially the burden is substantial evidence.
3 It's been successful.

4 If a court is going to review it to
5 determine whether you met a certain threshold,
6 they look at the quality of the evidence. And
7 that has served us well. But I have never
8 found a case or anything of that nature that
9 sets out what so-called burden of proof is in
10 these types of cases.

11 COMMISSIONER MACDONALD: I'll look
12 at it. Off the top of my head, the simplest
13 way to do it would be a burden of proof is by a
14 preponderance of the evidence.

15 MS. BLUE: We have different parts
16 of our statute create different burdens of
17 proof for different topics. So, one of the
18 concerns was in drafting the hearing regulation
19 you would not want to go through each part of
20 our statute that has a different burden of
21 proof.

22 COMMISSIONER MACDONALD: So, it
23 would be by reference then? Upon review
24 whether there's substantial evidence to support

1 the hearing officer's conclusion, would you
2 then have to refer to another regulation to
3 find out what the particular burden is for the
4 subject matter of the preceding?

5 MS. BLUE: You wouldn't have to
6 refer to another regulation, but it would
7 depend on what the hearing officer was hearing.
8 So for example, and this is kind of a broad
9 example, if a hearing officer was hearing
10 something that had to do with a licensing
11 standard, it might be a different burden of
12 proof than it was for say an exclusion
13 standard.

14 So, the hearing officer would have
15 to look at what they were hearing before they
16 could decide. They might get some benefit and
17 some instruction from the statutory provisions.

18 COMMISSIONER MACDONALD: So, it's
19 intentionally silent on that point as far as
20 the proposed regulation is concerned?

21 MS. BLUE: It's a regulation in
22 force, yes.

23 CHAIRMAN CROSBY: Okay. Anything
24 else on this one? Which one we're on, we're

1 still on (b), motion on the two elements in tab
2 (b).

3 COMMISSIONER ZUNIGA: Let me attempt
4 to take them together this time. I would move
5 that the Commission approve the amendments to
6 205 CMR 152 and the associated amended small
7 business impact statement for the regulation
8 individuals excluded from a gaming
9 establishment as presented here in the packet,
10 and direct staff to forward to the Secretary of
11 State for final promulgation.

12 CHAIRMAN CROSBY: Second?

13 COMMISSIONER MACDONALD: Second.

14 CHAIRMAN CROSBY: Further
15 discussion? All in favor, aye.

16 COMMISSIONER MACDONALD: Aye.

17 COMMISSIONER ZUNIGA: Aye.

18 COMMISSIONER STEBBINS: Aye.

19 CHAIRMAN CROSBY: Opposed? The ayes
20 have it unanimously. Tab (c).

21 MS. BLUE: This is 205 CMR 143. And
22 I'll let Mr. Grossman talk to you about this.

23 MR. GROSSMAN: This is a regulation
24 that the Commission reviewed many, many months

1 ago. We brought it back through the
2 promulgation process. It deals with the open
3 communication protocols.

4 I asked Floyd Barroga and John
5 Glennon to join me here in case the Commission
6 has questions as to what an open communication
7 protocol is or what the industry standards are
8 in that regard.

9 Essentially, what we do here in the
10 regulation is that we open up the possibilities
11 as far as using different protocols on the slot
12 machines at the casinos. Instead of
13 restricting it, it's simply the G2S protocol
14 which is what the initial regulation did. This
15 was after substantial input from the industry.

16 CHAIRMAN CROSBY: Are there other
17 standards proliferating is that why we're doing
18 this? I've not heard of others than the two.

19 MR. BARROGA: As of right now, all
20 of the certified product is compatible with the
21 two components SAS and G2S, which our CMS is
22 capable of communicating with.

23 CHAIRMAN CROSBY: But are we
24 changing this because we are anticipating that

1 there will be others that are not within G2S
2 and whatever it is, SAS.

3 MR. BARROGA: Essentially, it's to
4 future proof the requirement if there was a
5 manufacturer that wanted to get licensed within
6 the state and we were not compatible with that
7 protocol, then we would have to take steps to
8 ensure our CMS is compatible with that protocol
9 on top of working with the casino licensees and
10 allowing them to purchase the latest in the
11 industry.

12 CHAIRMAN CROSBY: So, we're just
13 sort of saying do it if you want, just make
14 sure it's compatible and we've got a hammer
15 there if we need it.

16 COMMISSIONER ZUNIGA: With either
17 or, with SAS and G2S.

18 CHAIRMAN CROSBY: No, compatible
19 with us, with our CMS.

20 COMMISSIONER ZUNIGA: Okay.

21 MR. BARROGA: And to sort of future
22 proof the requirement so that if there is a
23 third standard, a fourth standard, we will have
24 taken the necessary steps to implement it

1 within our CMS.

2 CHAIRMAN CROSBY: Right.

3 COMMISSIONER STEBBINS: Quick
4 question just to be clear, we're striking out
5 section 2 on the following page. That's not
6 limiting our licensee's abilities to have
7 machines on the floor prior to January 1, 2017.

8 MR. LENNON: Right. That's correct.
9 We had come to that decision some time ago
10 based on input from the licensees.

11 COMMISSIONER STEBBINS: Right, okay.

12 COMMISSIONER MACDONALD: The
13 addition of the phrase, the electronic gaming
14 devices to slot machines, is that a reflection
15 of the development of technology and the
16 variety of gaming devices, electronic gaming
17 devices that are now being employed or
18 anticipate being employed at our facilities?

19 MR. GROSSMAN: It's more a
20 reflection of just the terminology that's used
21 in the GLI standards. Slot machine is a term
22 that is used in Chapter 23K. We use it in our
23 regulations. But oftentimes, there are more
24 devices that fit into these categories than

1 just slot machines. So, thought we should just
2 clarify that this applies to all machines.

3 CHAIRMAN CROSBY: Does anybody want
4 to try a motion?

5 COMMISSIONER ZUNIGA: Sure, just to
6 wrap it up, I will move that the Commission
7 approve the final amendments to regulation 205
8 CMR 143 for gaming devices and electronic
9 gaming equipment as well as the amended small
10 business impact statement as presented here in
11 the packet, and direct staff to forward to the
12 Secretary of State for final promulgation.

13 COMMISSIONER MACDONALD: Second.

14 CHAIRMAN CROSBY: Further
15 discussion? All in favor, aye.

16 COMMISSIONER MACDONALD: Aye.

17 COMMISSIONER ZUNIGA: Aye.

18 COMMISSIONER STEBBINS: Aye.

19 CHAIRMAN CROSBY: Opposed? The ayes
20 have it unanimously. I believe that is
21 everything. Anything else?

22 MR. BEDROSIAN: Nothing else, thank
23 you.

24 CHAIRMAN CROSBY: Do we have a

1 motion to adjourn?

2 COMMISSIONER STEBBINS: So moved.

3 COMMISSIONER ZUNIGA: Second.

4 CHAIRMAN CROSBY: All in favor, aye.

5 COMMISSIONER MACDONALD: Aye.

6 COMMISSIONER ZUNIGA: Aye.

7 COMMISSIONER STEBBINS: Aye.

8 CHAIRMAN CROSBY: Unanimously, thank
9 you all.

10

11 (Meeting adjourned at 11:52 a.m.)

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1 ATTACHMENTS:

- 2 1. Massachusetts Gaming Commission April
3 14, 2016 Notice of Meeting and Agenda
- 4 2. Massachusetts Gaming Commission March 22,
5 2016 Meeting Minutes
- 6 3. Massachusetts Gaming Commission March 24,
7 2016 Meeting Minutes
- 8 4. Massachusetts Gaming Commission March 29,
9 2016 Meeting Minutes
- 10 5. Assessing the Impact of Gambling on Public
11 Safety in Massachusetts Presentation by
12 Christopher W. Bruce, Consultant Crime
13 Analyst
- 14 6. Evaluation Schedule - Category 1
15 License/Region C - DRAFT FOR COMMISSION
16 REVIEW
- 17 7. Massachusetts Gaming Commission April 11,
18 2016 Memorandum Regarding Gaming Beverage
19 License Amendment: Plainridge Park Casino
20 with attachments
- 21 8. Massachusetts Gaming Commission Racing
22 Division April 14, 2016 Memorandum
23 Regarding Request for Consideration,
24 Plainridge Racecourse Capital Improvement

- 1 Trust Fund with attachments
- 2 9. Massachusetts Gaming Commission April 11,
- 3 2016 Memorandum Regarding Plainridge
- 4 Special Events
- 5 10. 205 CMR 3.00
- 6 11. 205 CMR 4.00
- 7 12. 205 CMR 133
- 8 13. Amended Small Business Impact Statement
- 9 205 CMR 133.00
- 10 14. 205 CMR 152
- 11 15. Amended Small Business Impact Statement
- 12 205 CMR 152.00
- 13 16. 205 CMR 143
- 14 17. Amended Small Business Impact Statement
- 15 205 CMR 143.00
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1 GUEST SPEAKERS:

2 Chris W. Bruce, Crime Analyst Consultant

3

4 MASSACHUSETTS GAMING COMMISSION STAFF:

5 Floyd Barroga, Manager of Gaming Technology

6 Ed Bedrosian, Executive Director

7 Catherine Blue, General Counsel

8 Paul Connelly, Director of Racing

9 John Glennon, CIO

10 Todd Grossman, Deputy General Counsel

11 Alex Lightbaum, DVM, Director of Racing

12 Doug O'Donnell, Sr. Financial Analyst

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C E R T I F I C A T E

I, Laurie J. Jordan, an Approved Court Reporter, do hereby certify that the foregoing is a true and accurate transcript from the record of the proceedings.

I, Laurie J. Jordan, further certify that the foregoing is in compliance with the Administrative Office of the Trial Court Directive on Transcript Format.

I, Laurie J. Jordan, further certify I neither am counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken and further that I am not financially nor otherwise interested in the outcome of this action.

Proceedings recorded by Verbatim means, and transcript produced from computer.

WITNESS MY HAND this 16th day of April, 2016.



LAURIE J. JORDAN
Notary Public

My Commission expires:
May 11, 2018