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COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS GAMING COMMISSION
PUBLIC MEETING #223

CHAIRMAN

Stephen P. Crosby

COMMISSIONERS

Lloyd Macdonald

Enrique Zuniga

Bruce Stebbins

Gayle Cameron

MASSACHUSETTS GAMING COMMISSION

101 Federal Street, 12th Floor

Boston, Massachusetts

August 10, 2017

10:04 a.m. - 3:08 p.m.

P R O C E E D I N G S

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3 CHAIRMAN CROSBY: We're calling to
4 order public meeting 223 on Thursday,
5 August 10th at the Gaming Commission office
6 on Federal Street at 10:00 in the morning.
7 We are having some technical problems which
8 we have tweeted out and e-mailed out and
9 told everybody about. But for people in
10 the room, I'm going to ask Mike Sangalang
11 to explain what the alternatives are. We
12 are going to be able to stream over
13 Facebook. It just came up here, but this
14 is just an inside feed, right?

15 MR. SANGALANG: That's just the
16 inside feed for now.

17 CHAIRMAN CROSBY: Just in case
18 anybody here wants to send notes out to
19 anybody who might be watching.

20 MR. SANGALANG: We are working on a
21 fix for massgaming.com, but currently you
22 can watch the stream on Facebook.com slash
23 MA Gaming C-O-M-M. That's our Facebook
24 page. Again, that's Facebook.com slash MA

1 Gaming C-O-M-M. In the first comment you
2 can find a link to the packet which is
3 being hosted on a drop-box site, and you
4 can download it and view it there. Again,
5 it's in the first comment on our Facebook
6 page, and the post is pinned to the top.

7 CHAIRMAN CROSBY: Is it up?

8 THE FLOOR: The site is back up.

9 MR. SANGALANG: The site is back up
10 everyone.

11 COMMISSIONER STEBBINS: We're
12 performing miracles.

13 CHAIRMAN CROSBY: Nice going, Mike.
14 So whatever, you can watch it wherever you
15 want. We're everywhere. Director Ziemba
16 suggested that it might be North Korea
17 messing around with us. Okay. We are
18 going to go first to the approval of
19 minutes, Commissioner Macdonald.

20 COMMISSIONER MACDONALD: Yes. I
21 move that we approve the minutes of June --
22 of our meeting of June 28, 2017 and the
23 minutes of our July 13th meeting 2017
24 subject to corrections for typographical

1 errors and for other nonmaterial matters.

2 CHAIRMAN CROSBY: Second?

3 COMMISSIONER STEBBINS: Second.

4 CHAIRMAN CROSBY: Anybody have
5 comments? On the first set, whatever that
6 date was --

7 COMMISSIONER MACDONALD: June 28th.

8 CHAIRMAN CROSBY: Is that what it
9 is? Yes, June 28th at 1:58 p.m. it's just
10 a totally minor typo, Cecilia, SERPAD is
11 the initials are wrong one of the two
12 times. See it? Anything else? All in
13 favor?

14 COMMISSIONER MACDONALD: Aye.

15 COMMISSIONER CAMERON: Aye.

16 COMMISSIONER STEBBINS: Aye.

17 COMMISSIONER ZUNIGA: Aye.

18 CHAIRMAN CROSBY: Opposed? The ayes
19 have it unanimously. And now we are
20 onto -- welcome back our long lost director
21 of gaming and responsible gaming research,
22 Mark Vander Linden.

23 MR. VANDER LINDEN: Great. Thank
24 you. Good morning, Commissioners.

1 COMMISSIONER MACDONALD: Good
2 morning.

3 MR. VANDER LINDEN: I'm glad to
4 still have that title.

5 CHAIRMAN CROSBY: How was your trip?

6 MR. VANDER LINDEN: It was pretty
7 incredible. I felt like I was truly able
8 to kind of disconnect for a period, and I'm
9 ready to reconnect.

10 CHAIRMAN CROSBY: Great, nice to
11 have you back.

12 MR. VANDER LINDEN: Thank you. I am
13 here today with associate commissioner of
14 DPH Lindsey Tucker and the Director of
15 Problem Gambling Services at DPH Victor
16 Ortiz. Today they are going to give you an
17 update on the activities that are happening
18 over at DPH as it relates to addressing
19 problem-gambling. But before I officially
20 turn it over to them, I would like to just
21 give a little bit of background.

22 Chapter 23K is clear in its intent
23 to mitigate the negative consequences of
24 expanded gaming in Massachusetts,

1 specifically Chapter -- Section 58
2 establishes the Public Health Trust Fund to
3 assist, and this is a quote, assist social
4 services and public health programs
5 dedicated to addressing problems associated
6 with -- they call it compulsive gambling.
7 I'll call it disorder gambling -- as well
8 as the annual research agenda.

9 While the Public Health Trust Fund
10 has not technically been established, the
11 MGC each year so far has included in its
12 budget money for these purposes. In 2014
13 there was an MOU established between the
14 Mass. Gaming Commission and the Executive
15 Office of Health and Human Services. That
16 was executed by our Chairman Crosby as well
17 as former secretary of EOHHS Polanowicz.
18 The terms of this MOU I pull out three
19 important pieces.

20 First, it grants equal authority
21 between MGC and EOHHS or DPHS as they're
22 executing it to establish a budget and
23 problematic and service priorities. It
24 establishes a five minute public -- five

1 member Public Health Trust Fund Executive
2 Committee, which is cochaired by Associate
3 Commissioner Tucker as well as Chairman
4 Crosby. And, finally, in its overall
5 purpose is to assure the alignment of
6 problem-gambling and responsible gaming
7 programs and services and research efforts.

8 In 2016 the Public Health Trust Fund
9 executive committee adopted a strategic
10 plan for services to mitigate the harms
11 associated with problem-gambling. This
12 strategic plan lays the groundwork for the
13 development of a public health response to
14 assist individuals in communities most
15 affected by the expansion of gambling in
16 Massachusetts.

17 Today, Lindsey and Victor will talk
18 to you about the efforts that are underway
19 to implement that strategic plan. So far
20 it's a multiyear strategic plan, but I
21 won't go into too much detail about that.
22 I will turn it over to them right now, so
23 thank you.

24 CHAIRMAN CROSBY: Great.

1 MS. TUCKER: Thank you so much,
2 Mark. Good morning. I'm Lindsey Tucker.

3 COMMISSIONER CAMERON: Good morning.

4 COMMISSIONER MACDONALD: Good
5 morning.

6 MS. TUCKER: I'm the associate
7 commissioner of the Department of Public
8 Health. This is Victor Ortiz, our director
9 of problem gambling services. And it's
10 really a pleasure to join you here today.
11 I've been in the job for about two years
12 now, and it's great to have this
13 opportunity to come and speak with you
14 about the really exciting work that we're
15 doing. You know that the work here in
16 Massachusetts is groundbreaking, and we
17 definitely feel that at the public health
18 team we are part of that, and that's
19 exciting.

20 Today we're going to provide you
21 with an update on the work that we've been
22 engaged in specifically over the last year
23 that really all stemmed from the strategic
24 plan that Mark talked about, and it was

1 really a foundational year, fiscal year '17
2 was a foundational year for the work that
3 we did. Kicking off what will be a
4 multiyear and maybe many, many, many, years
5 of the work that we can do together and
6 that we need to to adequately address the
7 expansion of gambling here in
8 Massachusetts. And for us one of the
9 things that's exciting and that we talk
10 about in our executive committee meetings
11 is that the programming work at DPH really
12 ducktails and needs to compliment the
13 research agenda, and so those really go
14 hand in hand.

15 Before we jump into that and before
16 Victor talks about the work that we do, I
17 wanted to just give you a very brief
18 overview of how we think about things at
19 the Department of Public Health. As you
20 know, we are part of the broader executive
21 office of the health and human services
22 secretariat, and we are one of many
23 agencies.

24 We have about 3,000 employees, and

1 we serve folks from birth to death. Vital
2 records are under us, so it is quite
3 literally birth records and death records
4 and everything in between. And our
5 commissioner, Dr. Monica Varrel, this is
6 the framing that we use to think about the
7 work that we do. We call this our DPH
8 house. The mission and the vision have
9 been consistent for many years for the
10 department.

11 The things that I wanted to focus on
12 here with you today just for a minute are
13 these three pillars that really drive our
14 work, and that drives our work across
15 everything whether we're talking about
16 health promotion and prevention, whether
17 we're talking about infectious disease and
18 safety and surveillance, when we're talking
19 about patient safety and quality in nursing
20 homes and hospitals. And, so, it has also
21 infused our work around problem-gambling
22 and problem-gambling services.

23 So data at which really also ties to
24 the research agenda here for the work that

1 we do is just critical to informing our
2 work and to ensuring that what we do is
3 based on the data and is based on the
4 evidence. And one of the things that we
5 really focus on is called the social
6 determinates of health, and the
7 determinates of health looking at the
8 things that are where we live, work and
9 play and how that really impacts health
10 outcomes. In fact, much more than what
11 happens in your doctor's office. So as we
12 think about expanded gambling and we think
13 about casinos in communities for the first
14 time, that really shifts those social
15 determinates because it changes where
16 people are living and working and playing.

17 And then looking at disparities or
18 looking at health equity and ensuring that
19 everyone in Massachusetts has the ability
20 to live the healthiest life as possible,
21 and the ability to make choices that allow
22 them to live that healthiest life possible.

23 You may know that we are one of the
24 healthiest states in the nation behind just

1 Vermont right now. We sort of toggle
2 between two and three with Hawaii, and so
3 we are one of the healthiest states but
4 within certain populations and certain
5 demographics that maybe based on
6 socioeconomic status or race or gender,
7 there are differential health outcomes.
8 And some of those are not okay, and we
9 really need to focus on those inequities
10 and making sure, again, that everybody has
11 the ability to live and the choices that
12 allow them to be the healthiest possible.
13 So that is our frame that I just wanted to
14 provide you with just to give you a little
15 bit of context of the overall work that you
16 do.

17 CHAIRMAN CROSBY: I hadn't heard
18 that before, and it's really good. It's
19 really interesting. It's very compatible
20 with the kinds of issues that we
21 established, the mission values and kind of
22 structure that we established and it's
23 really well-presented. That's good.

24 MS. TUCKER: Thank you. So when we

1 think about the expanded gaming
2 legislation, we're quite grateful for the
3 Public Health Trust Fund and for the work
4 it has already allowed us to do with your
5 team and the work that it will continue to
6 allow us to do. And when we think about
7 expanded gaming, we want to think about it
8 in the broadest way possible.

9 And, so, similar to how we're
10 attacking the opioid epidemic, which is
11 putting everything on the table and really
12 thinking broadly and creatively about
13 different ways to address it, wanting to be
14 sure that we're using lots of stakeholders
15 and lots of communities and thinking really
16 broadly about what it means for a community
17 to have a casino, and how we may think
18 about it from a public health perspective.
19 So with that, I will turn it over to
20 Victor.

21 MR. ORTIZ: Thank you, Lindsey.

22 Good morning, Commissioners.

23 CHAIRMAN CROSBY: Good morning.

24 COMMISSIONER CAMERON: Good morning.

1 COMMISSIONER MACDONALD: Good
2 morning.

3 MR. ORTIZ: I am just as equally
4 excited to be here this morning. This is
5 fantastic as a person who's labored in the
6 field of problem-gambling for the last
7 seven, eight years. The work I have to say
8 we are doing here in Massachusetts is
9 incredible, and I am so glad to be a part
10 of it playing my role as the director of
11 problem-gambling services. It's a great
12 environment at the Department of Public
13 Health.

14 Before I get into talking about
15 speaking about our work at DPH, I want to
16 take a minute to give a little bit of a
17 background on sort of the work of DPH in
18 relations to problem-gambling.

19 Currently we provide and
20 historically we provide outpatient
21 treatment services that sort of sits in
22 around 41 centers for individuals who are
23 seeking treatment for gambling disorders.
24 As well as to support that work, we also

1 have a statewide capacity building contract
2 that supports that work through a variety
3 of different deliverable relating to
4 training and helping services and our state
5 certificate to make sure that people have
6 the competency to deliver those counseling
7 services.

8 That historically has been held by
9 the Mass. Council on Compulsive Gambling,
10 and I just want to take a minute just to
11 acknowledge the Mass. Council, which
12 historically has for many, many years have
13 labored in that work on -- and I am a
14 former employee of the Mass. Council, so I
15 might be giving myself a little self-praise
16 here, so I apologize for that, but really
17 to recognize their labor and work for many
18 years in the space.

19 As we think about moving forward and
20 Mark and Lindsey talked a little bit about
21 the strategic plan, but I just wanted to
22 kind of start there a little bit and that
23 the strategic plan obviously gave us a
24 purpose and a focus. And Mark and Lindsey

1 talked about that briefly. And it is that
2 strategic plan once it was completed, I was
3 informed that it's my work plan and so I
4 thought of two things. I said, A, I have a
5 lot of work; and, two, I'm going to be
6 around for quite a while.

7 But in the strategic plan lays out
8 some specific priority areas and key areas
9 of concern. So when we wrapped up the
10 strategic plan -- it was adopted in
11 April -- we went back to DPH and said,
12 "Wow, there is a lot on this table here.
13 Where do we start?" And, so, for the
14 thinking around the table was let's look at
15 the first four, right, and specifically by
16 that time we had the baseline data from the
17 SEIGMA team, and we had some other points
18 of reference and so we started there.

19 So our focus was on those first four
20 bullets, which is prevention for youth,
21 prevention for high-risk populations, focus
22 on community level interventions and the
23 coordination of problem-gambling services.
24 We felt strongly that with the resources

1 that we had the funding along with those
2 priority areas that that was the best
3 approach to be able to go into, as Lindsey
4 stated, that those foundational elements
5 that were important to the work and think
6 about it.

7 And the strategic plan also calls
8 and lays out what is called a continuum of
9 services. And this continuum of services
10 is very typical and what is called
11 individualized approach to services. And,
12 historically, in the gambling -- the field
13 of problem-gambling, the majority of that
14 effort lies in that green section, which is
15 the treatment space. It's the bulk of
16 efforts historically that has happened in
17 our field is in that sort of treatment
18 space.

19 Simultaneously, we thought it was
20 important to think about infrastructure and
21 capacity building as that long pillar
22 underneath and data collection as two major
23 pieces to continue to think about
24 solidifying that continuum services. Then

1 we had another thought in the process of
2 developing the strategic plan that really
3 created an opportunity, as Lindsey
4 mentioned, about thinking about a much
5 broader approach to thinking about how do
6 we mitigate the harms associated with
7 gambling, and that is -- and the strategic
8 plan lays out this eco-system map.

9 Now, let me just say that this is
10 what gets me excited every day to come to
11 work. Because in the field of gambling
12 that continuum services, even though it's
13 in that sort of space, lives in that middle
14 piece thinking about culpability,
15 disassociation of gambling related to
16 substance abuse or mental health disorders
17 or things of that nature.

18 But there is very little work that
19 is done outside of that box to think about
20 the larger issues related to the domestic
21 violence or things that at nature of the
22 impact of a casino on a community versus
23 the impact on gambling on the individual.
24 And I had a young lady who was an intern

1 during this time, and she did an
2 environmental scan and it connected with
3 about over 30 of our colleagues who belong
4 to the association of problem-gambling
5 service administrators and did this quick
6 scan to ask people two things; one, to find
7 out what kind of problematic work was done
8 in other states relating to the association
9 of domestic violence and gambling or
10 thinking about human trafficking and this
11 is the appropriate term that people
12 probably best known as prostitution in
13 gambling. And there was no information
14 that was available, no program efforts that
15 were underway to tackle these areas of
16 concern. And so to us, this is an area
17 that's groundbreaking, of thinking about
18 that broader approach to gambling that has
19 not ever been sort of conceptually
20 theoretically talked about but not done.

21 MS. TUCKER: Can you go back one
22 second?

23 MR. ORTIZ: Yes.

24 MS. TUCKER: One of the other things

1 that we talked about -- so it's very hard
2 to see but in your packet the lower
3 right-hand there is an asterisk and it
4 talks about how some of this -- some of
5 these items on the eco-system map are
6 appropriately addressed with the community
7 mitigation fund. So as we think in our
8 work with the Public Health Trust Fund
9 executive committee about how we want to be
10 directing our dollars, and then also
11 understanding there are these other efforts
12 to think about mitigation funds and
13 activities for communities recognizing that
14 there is some overlap and making sure that
15 we are just thinking strategically about
16 that, so just in case you noticed that.

17 COMMISSIONER CAMERON: I had a
18 question. You mentioned that there was no
19 information out there, correct, in any
20 other --

21 MR. ORTIZ: Very limited I would
22 say, Commissioner.

23 COMMISSIONER CAMERON: So the
24 information you have at this point is

1 anecdotal?

2 MR. ORTIZ: Yes, there's --

3 COMMISSIONER CAMERON: There is no
4 data to support these other -- these other
5 issues, significant issues and their
6 relationship to problem-gambling.

7 MS. TUCKER: Sorry, if you could
8 just clarify where we understand data
9 versus where we understand efforts to
10 address the issues.

11 MR. ORTIZ: There's two issues here.
12 One is that on the data side. There is
13 some data, but it's limited and it's
14 questionable and that's one, because it's
15 never been a focal point of studies; two,
16 our efforts is to really think about as
17 we -- because there is some thinking that
18 there is an association do we take an
19 approach of going into these spaces to
20 gather more information to make some
21 determination of an approach or an effort
22 and is there a potential harm and sort of
23 really just taking some careful steps of
24 sort of looking at it, evaluating it or

1 engaging to see if there is a harm or not.

2 COMMISSIONER CAMERON: A harm in
3 collecting the data?

4 MR. ORTIZ: A harm in regards to the
5 association of gambling, does something
6 like gambling really create some affect in
7 regards to domestic violence or is there
8 some connection with crime, is there a
9 connection with increased tobacco use,
10 those associations.

11 COMMISSIONER CAMERON: I just -- I
12 love the work we're doing with crime,
13 because we are coming up with real data.
14 And that is very helpful in old stereotypic
15 ideas, or it's very helpful in an immediate
16 strategy if there tends to be an issue.
17 So, I just think the more data you're able
18 to ascertain will help with what's real.

19 MS. TUCKER: Absolutely. And all of
20 the work that we are doing is data-driven
21 and Victor is now -- I hold him back, but
22 he is now going to get into the spaces that
23 we were working over the past year and
24 future year, and it is not around those

1 specific areas that he just mentioned, so I
2 think that might help.

3 COMMISSIONER MACDONALD: And isn't
4 it fair to say, and I guess this goes to
5 Mark, isn't it fair to say that one of the
6 focuses of the research program is to
7 develop the data on these issues to
8 identify to the extent of the
9 co-morbidities and relationship amongst the
10 different problem sets?

11 CHAIRMAN CROSBY: Causality.

12 MR. VANDER LINDEN: Yes, absolutely.
13 That's actually a clear directive from the
14 Expanded Gaming Act in 23K that the program
15 services that Lindsey and Victor are
16 talking about, which would be informed by
17 findings from the research agenda whenever,
18 wherever possible.

19 CHAIRMAN CROSBY: And just to
20 reinforce that, I think I know where you
21 are going and what you're thinking and, I
22 think, everybody is on the same page on
23 that is that debates about gambling are, as
24 I often say, are typically formed by bias,

1 myth, anecdote rarely by data and starting
2 with our act, and we've really pushed that.
3 There are issues with gambling. We all
4 know that, but there is also a lot of
5 pathology about gambling. We need to
6 distinguish between the two.

7 And, so, the heart of the -- that is
8 why it's in their chart, too -- the heart
9 of the underlying program is data. So
10 we're trying to figure out where bias, myth
11 and anecdote are realistic and where they
12 are and act accordingly.

13 MR. ORTIZ: Thank you. So,
14 additionally, our strategic plan breaks,
15 and Lindsey covered this so I'll just
16 mention it for a quick second, that phases
17 of activity and really phase one are where
18 we are currently at, and it talks about
19 infrastructure, development because
20 obviously it's a critical point in this
21 work as we develop it, and obviously the
22 second phase is the implementation of
23 services.

24 So now I'm going to transition and

1 introduce sort of the three initiatives
2 that are -- for the FY17 that we undertook
3 and those categorized into those three
4 areas, and those areas that I discussed
5 earlier about the priority areas. So one
6 is prevention for youth, parents and
7 at-risk populations, our initiative around
8 workforce development community health
9 workers, and then sort of some workforce
10 development that's specific to treatment
11 providers.

12 And, so, additionally, I also want
13 to mention as a point of reference that in
14 thinking about this work, we thought it was
15 best to sort of -- to start where we know
16 that there is a slot parlor now exist,
17 which is obviously Plainridge Park Casino.
18 So all of our efforts was to sort of focus
19 in on that Region C slash Plainville area
20 as a starting point, because the optimal
21 way of approach in this work is to do that
22 beforehand. But in light of the fact that
23 we're doing it now, we wanted to obviously
24 address and go into that region.

1 So, for the prevention for youth,
2 parents and at-risk population, as we were
3 just talking about data, because obviously
4 data is really critical, right, and we want
5 to be able to be precise with our public
6 health work that is driven by data and
7 information. And, so, again, this is
8 another area where when we talk about
9 prevention for gambling, very limited in
10 these sort of the body of literature.

11 So we undertook what is called the
12 regional planning process, and this
13 consisted of three major pieces. One was
14 to review regional data, which encompassed
15 quite a bit of the baseline data as well as
16 the deeper analysis that was given to us as
17 we're embarking on that as well, so that
18 was extremely helpful. So I just want to
19 make a note to say thank you to SEIGMA.
20 Key informant interviews as well as focused
21 groups. And this is another way of
22 collecting information. So the conclusion
23 of all of that process led us to focus on
24 these three specific groups.

1 So for youth, we focused in on 12 to
2 18 year olds as a target for change, and
3 this is sort of based on the notion that
4 the earlier that you start to gamble the
5 more it becomes a problem later on in life
6 or it becomes higher risk in the category.
7 That is both identified in the SEIGMA study
8 as well as a national body of evidence.

9 Parents who are agents of change,
10 and the at-risk population became an
11 interesting debate among the parties,
12 because there is so many at-risk groups,
13 how do we focus and, again, it goes back to
14 that data point because that's where we
15 sort of centered on our thinking.

16 And, so, based on the SEIGMA data,
17 we realized that there is some areas that
18 we can clear up the thinking here. So we
19 focused on men of color, because it speaks
20 that African-Americans or blacks are five
21 times more likely to have a
22 gambling-related problem who have a history
23 of substance abuse, another at-risk group,
24 right, that has been identified in the

1 data. So we focused in on that specific
2 group as a starting point for the at-risk
3 population.

4 So what have we learned? We learned
5 quite a bit through this process. It was
6 extremely informative that would inform our
7 work in regards to prevention work on the
8 ground level. And I'll just mention a
9 focus on one so just save us some time and
10 we can move onto other things. But, one,
11 that youth come into contact with
12 participating gambling more than their
13 parents think they do, which is
14 interesting, right? For our youth focus --

15 MS. TUCKER: You're a parent. Maybe
16 it's not that interesting.

17 MR. ORTIZ: Exactly, so I have four.
18 Anyway, I can tell stories about that when
19 we end this presentation. But youth
20 recognized in gambling, engaging in
21 gambling in ways that we just really think
22 we underestimate their level of
23 understanding and involvement, and so
24 there's a significant disconnect between

1 parents and youth.

2 COMMISSIONER CAMERON: Do you have
3 an example of how young people, say 12 year
4 olds gamble?

5 MR. ORTIZ: It's a variety of
6 different ways that they gambling, lottery,
7 which is one, although --

8 COMMISSIONER CAMERON: Private
9 lottery?

10 MR. ORTIZ: Underground lottery,
11 school lotteries, raffles. There is a
12 whole cohort of gambling activity that they
13 engage in specifically even internet as
14 well, which is another big thing because of
15 the social medica technology aspect.

16 MS. TUCKER: If I remember
17 correctly, some of the stories that came
18 out were not gambling in the way we might
19 typically think about it but, for example,
20 betting on scores on a test at school or
21 betting on little league games or something
22 like that where it's the beginnings of
23 gambling but not necessarily in the
24 structure that we would think about it.

1 MR. ORTIZ: Even video games,
2 internet. It's just really an interesting
3 world of a window to look in to see youth
4 in participation of gambling. It's quite
5 incredible. But the interesting part is
6 parents are unaware of their level of
7 involvement in some of these activities, so
8 there's a significant disconnect.

9 MS. TUCKER: If I might add one more
10 thing?

11 MR. ORTIZ: Yes, you can.

12 MS. TUCKER: I think the disconnect
13 also was at youth recognizing when their
14 parents were gambling, and so being more
15 aware of gambling in their world. They
16 personally may not be gambling, but they
17 knew their parents were and their parents
18 were surprised that the kids were aware of
19 that, so there's that kind of disconnect
20 that came out at focus groups as well.

21 MR. ORTIZ: So there's an
22 opportunity here to bridge those gaps, you
23 know, in regards to parent and youth.
24 Additionally, the other things we

1 learned -- I'll pick one other thing -- is
2 that men with a history of substance abuse
3 have a clear understanding of a connection
4 between problem-gambling and other types of
5 addiction.

6 You know, I think there again go
7 into that misconception piece where we
8 think and believe that people with
9 addictive disorders don't have any
10 awareness of gambling. In large part there
11 is level of knowledge that they have.

12 Now, where does that source come
13 from? I also would just throw out there
14 that I think that the Mass. Council has
15 done a phenomenal job of building capacity
16 in our recovery communities, specifically
17 Jodi who has done a phenomenal job of it.
18 So, I think, that that really plays to a
19 large degree of some knowledge building
20 there, but, again, it's things that we've
21 learned.

22 Now, what we've done is once we
23 gather what we learned and look at all the
24 various pieces of information, we then sort

1 of went to another phase, which is then
2 sort of thinking about developing what
3 messages do we develop for youth, parents
4 and at-risk populations.

5 And the folks from EDC created this
6 triangle as what they call a communications
7 tool kit. That's a really great model that
8 they use in substance abuse prevention.
9 That is you develop a core message that's
10 surrounded around three components that are
11 really important. One is, what's the
12 problem statement, what's the call to
13 action, and then what is the problematic
14 strategy?

15 This allows us to focus on the core
16 message, and then sort of work around as a
17 way to maximize the work in a way that you
18 have these strategies built in around the
19 message. And, so, they develop these
20 messages along with those three areas as a
21 sort of -- as a focus for youth, and this
22 will allow us the opportunity as we think
23 about building it out with programs or we
24 think about initiatives we will always,

1 always be true to our message, although we
2 can expand those boxes in many different
3 ways.

4 Now, for today's time, I'm just
5 going to show you the messages for both
6 parents and men of color, because obviously
7 we've also did those individuals as well.
8 So for the next one we did another message
9 for parents as well as men of color who
10 have a history of substance abuse.

11 And, I think, this is really a cool
12 thing that we have right now this is going
13 to inform both our prevention work at the
14 ground level or to be sort of circled
15 around those messages as well as our, you
16 know, communications campaigns that we have
17 planned for the future and things of that
18 nature that can be utilized by all of us by
19 a core message that we want to be able to
20 put out there.

21 CHAIRMAN CROSBY: Is there any data
22 on the number of people -- number of
23 African-American men that have substance
24 abuse problems that also have gambling

1 problems? We know there is a propensity.
2 We know there is an association. But is
3 it -- is that sort of run-of-the-mill that
4 substance abuse people also have gambling
5 problems or do you know the incidents, the
6 prevalence of incidents?

7 MR. ORTIZ: Well, I hear two
8 different questions. One, is there an
9 association between gambling and substance
10 misuse and then African-Americans? I think
11 that to answer that question is very
12 complicated. You're going to see later on
13 in my slides that, I think, that the
14 interplay of gambling and substance abuse
15 also has an interplay of other things,
16 which is mental health, crime, poverty and
17 a multitude of things and to try to extract
18 it out of just to association is quite
19 challenging. Because we know the nature of
20 gambling is so interconnected to these
21 other things.

22 Now, the issue of African-Americans
23 and other groups, even Latinos and other
24 groups, I would say that our field to

1 problem-gambling historically has been
2 disconnected from two things. One, the
3 community level experience of gambling as
4 well as communities of color.

5 So we have an awesome opportunity --
6 I know that we have a special population
7 work that Mark is leading that allows us
8 the opportunity to kind of dig into it a
9 little bit to see we know that there is
10 something there. What exactly is it? We
11 just are not really clear, and hopefully in
12 time we will get to see that.

13 MS. TUCKER: I do think also, and we
14 can followup with the specific members, but
15 some of the baseline studies did talk about
16 there being higher rates of
17 problem-gambling among men and also higher
18 rates of problem-gambling among people of
19 color; is that accurate?

20 MR. ORTIZ: Yes.

21 MS. TUCKER: And then we also know
22 that there are co-occurring disorders for
23 many folks who have problem gambling,
24 whether that is mental health or substance

1 abuse and so we put those together both --

2 CHAIRMAN CROSBY: Sort of
3 triangulated the problem rather than
4 surveying the problem.

5 MS. TUCKER: Correct.

6 MR. ORTIZ: So now I want to move
7 onto our workforce development community
8 health workers. You know, all of these
9 initiatives, I love them all but I'm a
10 community health worker at heart, so I have
11 a slight bias here in this space here. But
12 our community health workers had two
13 different activities initiatives.

14 MS. TUCKER: May I interrupt you
15 again?

16 MR. ORTIZ: Yes.

17 MS. TUCKER: Are you all familiar
18 with what a community health worker is?

19 CHAIRMAN CROSBY: I had to ask, so
20 feel free.

21 MS. TUCKER: I think it might be
22 helpful just to --

23 MR. ORTIZ: Let me give a little
24 background. Let me transition into a

1 little background and maybe share some
2 examples of what a community health worker
3 is. Community health workers are to me
4 and, again, are sort of the bedrock
5 cornerstone of public health work, because
6 the work the community workforce provides
7 is essential to what Lindsey described is
8 thinking about that broad-base approach.

9 In essence, what a community health
10 worker is that they bring sort of a
11 cultural, social economic status and racial
12 diversity and understanding of this work in
13 a way that you can't build training or
14 capacity of individuals, because they
15 understand wholeheartedly what it is, how
16 it is and where it is. And let me give you
17 an example that might kind of center us a
18 little bit.

19 All of us are familiarized with Amy,
20 who is a GameSense adviser, right, and
21 she's awesome. I think we can all agree to
22 that. She's phenomenal. I remember my
23 interactions with Amy is that one of the
24 things about Amy is she brings a lot of

1 great qualities as a GameSense adviser.
2 One of the things that she also brings is
3 an intimate knowledge of how that gaming
4 floor works. What is that culture, what is
5 that like and how do people respond to
6 that?

7 You can't train that to people, to
8 folks. They have this initial ability to
9 understand how to navigate that
10 environment, and I think that plays a
11 significant role of, A, building trust in
12 that environment and when people are able
13 to seek -- want to get information from her
14 or are able to ask for help, they would
15 connect with her in a way because she
16 understands that environment.

17 In essence, that is an example that
18 I'm attempting to utilize of what a
19 community health worker is in sort of a
20 small sense. But in a larger sense, it's
21 people who belong who are part of the
22 community, understand the community and
23 understand how to sort of navigate those
24 issues.

1 And, so, as a former community
2 health worker, I took great pride in sort
3 of working the community, understanding
4 those communities, understanding where
5 people were who had issues, where they were
6 at, what goes on in a way that you just
7 can't train somebody for.

8 MS. TUCKER: And community health
9 workers often can work for community health
10 centers or other health systems. They can
11 work for community-based organizations and
12 often or always they are individuals from
13 that community. And, so, if there is a
14 particular issue in a neighborhood, again,
15 as Victor was saying, it's then much easier
16 to communicate with folks because there
17 aren't language barriers or cultural
18 barriers or other barriers that you might
19 find with other folks in the health care
20 workforce because a community health worker
21 is really of that community.

22 And, so, we see there's a lot of
23 really excellent outreach work that can
24 happen, because there is just a lot more

1 trust that immediately comes with those
2 relationships, and a lot of community
3 health centers and other community
4 hospitals and spaces use community health
5 workers to help get folks in the door when
6 it's appropriate, and also help keep them
7 out of the clinical space when it's
8 appropriate.

9 COMMISSIONER MACDONALD: And,
10 Lindsey, are these community health workers
11 employees of DPH?

12 MS. TUCKER: No. What DPH does for
13 community health workers right now is
14 twofold. There was a state law passed a
15 number of years ago. I'm not sure how
16 many. One of the pieces that we do is
17 there is a Bureau of Health Professions
18 Licensure in the Department of Public
19 Health and we oversee nurses and dentists
20 and pharmacists. And as of maybe about
21 five years ago, we also now have a board of
22 registration for community health workers.
23 So legislative effort to professionalize
24 the work force. It's not a required

1 license. It's a certification, but that is
2 something we are actually finalizing the
3 regulations and getting them out there so
4 that folks can have the required training
5 and get the certification.

6 And, so, we have that certification
7 board that sits within DPH, and then we
8 also have a group within our bureau of
9 community and health prevention that works
10 with community health workers around
11 training and other things to make sure that
12 the other areas of the workforce are
13 connected to them in a way that is helpful.

14 So we may have contracts with
15 community-based organizations that hire
16 community health workers, but they don't
17 necessarily work for us unless it's someone
18 like Victor who has other parts of his job.

19 MR. ORTIZ: So the next segment is
20 just talk a little bit about the results
21 from the needs assessments. And, so,
22 interesting we sort of -- there's three
23 different categories where the needs
24 assessment sort of outlined, and so the

1 first one is the observation about local
2 problem-gambling. Here, again, in our
3 report there is many of these points. I
4 just wanted to extract one or two points
5 for our presentation today. And that is
6 people increasingly exposed to engaging in
7 a variety of gaming types.

8 Now, the significant of this is that
9 we understand that from the deeper
10 analysis, for example, that the more folks
11 are engaged in gambling activities the
12 more -- the higher the rate of it becoming
13 a problem in their experience. And, so,
14 this is something obviously to think about
15 that at the community level, there are many
16 different forms of gambling types at the
17 community level currently as we speak.

18 The other piece is the -- the other
19 piece which is the perception nature of
20 problem-gambling and the challenge of
21 helping people, which is the ultimate goal
22 of the community health worker initiative
23 is for them to be able to screen people and
24 refer them for services and help.

1 Now, what's interesting about this
2 is that we know in the field that most
3 people who have experienced some problems
4 related to gambling seek help for mental
5 health or substance abuse really to
6 somebody say, hey, they are going to seek
7 help for gambling. Now, that has many
8 different sort of clinical base to think
9 about, right, where somebody can get
10 treated for substance abuse but their
11 gambling goes undetected.

12 Here we haven an opportunity to be
13 able to screen people and be proactive as a
14 way to do to these preventative screenings
15 or these screenings as a way to identify
16 people early on, early detections and as a
17 way to try to get them services early on
18 versus going to treatment for substance
19 abuse and mental health and then finding
20 out later on that they have a gambling
21 problem.

22 So this is really what I call sort
23 of a clinical -- sort of a clinical and a
24 proactive approach to this work that, I

1 think, will be a beneficial to us all.

2 COMMISSIONER ZUNIGA: Victor, who
3 would you say is currently doing some of
4 that screening and referral?

5 MR. ORTIZ: That's a great question.
6 Most of the screening that happens happens
7 in our treatment space currently right now.
8 But this, again, although all those still
9 areas where we need to figure out and fix
10 they can improve on, to me it's clinically
11 problematic, right, when if we screen
12 people once they come to help, that means
13 they probably experienced a multitude of
14 different things.

15 As far as outside the treatment
16 space, are there any screenings or
17 referrals happening outside the treatment
18 space? No, not currently right now. This
19 gives us an opportunity to be proactive
20 clinically so that people are out screening
21 people before they are walking through the
22 door, before they, you know, have gone down
23 this road or whatever and experience great
24 distress around gambling allows us to do

1 some early detection.

2 COMMISSIONER ZUNIGA: Go ahead.

3 MS. TUCKER: If I may, it also ties
4 for me one of the things that as you may
5 know we're doing in this next year, which
6 is the gap analysis around the treatment
7 system because we know that our treatment
8 providers are not being utilized. We also
9 know that a lot of folks potentially have
10 problem-gambling disorder. So is it that
11 they don't realize that they do? Is it
12 that they don't want to seek treatment? Is
13 it that they don't know how or they don't
14 know where or is it that there are not
15 enough treatment providers? I don't think
16 it's the latter. I think it's one of these
17 things that's the former, and so that is
18 why in this next year of FY18 that is what
19 we wanted to look at.

20 CHAIRMAN CROSBY: There is also a
21 problem of whether or not the treatment
22 providers can be paid for treatment. They
23 need to get paid for the work. It's a lot
24 easier to get paid for substance abuse

1 oftentimes than gambling, for example.

2 MS. TUCKER: And there is just, as
3 you all know, an incredible focus on
4 substance abuse right now. And, so, for a
5 lot of people, that is the entry in the
6 door, and we need to do a better job of
7 training those substance abuse providers to
8 do these screenings and to then make sure
9 that those referrals happen or that they
10 can incorporate some of that treatment in
11 their work, and so I think these are the
12 kinds of questions that we need to have
13 going forward.

14 COMMISSIONER ZUNIGA: What is the
15 hypotheses? I guess, intuitively you can
16 go a number of different ways to try to
17 train and communicate with substance abuse
18 providers or treatment providers, the
19 community health workers, which seems to be
20 an obvious compliment and supplement piece
21 or both. And there's of course, you know,
22 the more that you try to do, the less that
23 you might -- the more spread out that we're
24 going to do in those efforts. What is the

1 intuition -- I guess, you already answered
2 the question.

3 MR. ORTIZ: It's both. It is both
4 but here is -- and, again, this is the
5 beauty of the work that we have is that we
6 have so many opportunities to think about
7 conceptually this issue. Because, again,
8 as I mentioned when I first got the job,
9 there is not a blueprint about who's done
10 this before, whatever. This is
11 groundbreaking, and so we're doing a lot of
12 figuring it out. And part of that is also
13 going to the point that the Chairman made
14 about this sort of misconceptions and
15 things that exist in our space.

16 There's a thinking that people with
17 gambling disorders don't seek help. I have
18 clinically a hard time accepting that,
19 although it's in the literature, right? I
20 think that when people have difficulties,
21 they go somewhere for help. So, I think,
22 it's not just the substance abuse that we
23 need to be thinking about treating because
24 we will continue to do that as well as the

1 community health workers, but we need to
2 continue to look at the data to see if
3 there are other categories that we need to
4 be thinking about training whether it's
5 mental health workers, whether it's
6 hospitals, whether it's these kinds of
7 areas that we need to think about and
8 hopefully with the data we will continue to
9 explore those other areas where people end
10 up who have a gambling disorder.

11 MS. TUCKER: And one of the reasons
12 I said both is thinking about that spectrum
13 that we showed you before, those colors.
14 If we're really thinking about the
15 treatment space, it's clinical providers.
16 And one of the reasons, if you don't know
17 Victor's background, he is also a social
18 worker, so that is why he is also talking
19 about clinical in that way.

20 I think also more about upstream
21 public health in thinking about the
22 prevention and the intervention side. And
23 for me, that's where the community health
24 workers -- that's much more their role.

1 And, so, that's why I think it's kind of
2 multi-stafftorial (phonetic) because we do
3 need across this spectrum, we want to focus
4 on prevention as much as possible. And if
5 we miss you there and you get to the space
6 where you do have a disorder, then it's
7 more in the treatment phase.

8 COMMISSIONER ZUNIGA: But there's at
9 least a theory, a theriacal point of
10 diminishing returns, right? We could
11 attempt to educate everybody in
12 Massachusetts and that would be, you know,
13 way too many people in terms of this
14 screening and referral. I'm not talking
15 about the outreach. That is very
16 important. That's general population
17 approach. I'm just thinking where that
18 point, and maybe that is precisely the
19 point of the gap analysis.

20 MS. TUCKER: Yes, I definitely think
21 it's an ongoing issue.

22 CHAIRMAN CROSBY: This does raise
23 something that I frequently bring up, and
24 you started to talk about this that there

1 are screenings that happen for what are
2 typically co-morbid problems all over the
3 place, Department of Mental Health,
4 Department of Children and Families,
5 probably MassHealth and on and on. And the
6 legislature did not make DPH our partner in
7 the Public Health Trust Fund. They made
8 Health and Human Services our partner.
9 It's been delegated appropriately to DPH,
10 but the law knows that there is -- this is
11 not just a DPH problem.

12 This requires coordination amongst
13 all many, if not all, of the agencies of
14 HHS. So, you know, that's part of this.
15 And the screening area is a particular one
16 where everybody wants to screen for their
17 own stuff. Screening is already difficult
18 enough, long questionnaires on and on but
19 trying to figure out how you can combine.
20 So through all of these different points of
21 access, you get comprehensive data on all
22 of the co-morbidities, not just gambling.
23 That's a big challenge, but it's part of
24 what was implied in our statute.

1 MS. TUCKER: Yes, I think that's an
2 essential point. And as you can imagine,
3 we have these types of conversations around
4 a number of issues. One that I was talking
5 about yesterday was homelessness, and
6 homelessness touches folks in all of these
7 different agencies. And someone at DCF or
8 DMH, I don't want to be specific about a
9 sister agency, they might not know exactly
10 what to do if someone indicates that they
11 are housing unstable, and that's okay.
12 They don't need to know what to do. They
13 just need to know who to call or who to do
14 it for.

15 So, I think, for this case as well
16 in terms of diminishing returns, there is
17 some level of education that I think we can
18 and should hope for for a number of
19 providers. How far down the path they go
20 to do the treatment is a different
21 question, but I think making sure that, to
22 your point, Chairman Crosby, that the level
23 of education for a number of these
24 different entry points to the systems that

1 there is some consistency about education.

2 COMMISSIONER MACDONALD: Can I ask a
3 question of Victor? Just very briefly, can
4 you speak to the process that you went
5 through in the creation of this needs
6 assessment; I mean, who did it?

7 MR. ORTIZ: Thank you so much,
8 Commissioner Macdonald. We had a woman
9 named Dr. Terry Mason who has both national
10 and local expertise and expertise relating
11 to working with community health workers,
12 and she sort of her methodology was to use
13 this qualitative approach to gather some of
14 this information with the hope of answering
15 a question was when -- the hope is
16 answering the question is looking at
17 utilizing community health workers to
18 screen and refer people with gambling
19 disorders.

20 And, so, she has a lot of great
21 expertise in thinking about systemic
22 issues, thinking about training capacity,
23 whatever the case may be, and she is the
24 one that designed the needs assessment,

1 along with it was informed by our office of
2 community health workers and other
3 stakeholders as well.

4 Now I just want to move into what
5 have we learned. Again, just for the sake
6 of time, I just want to be able to focus on
7 one point, and that's the first one at the
8 top. One of the things that came out of
9 sort of the assessment was that at the
10 community level, there's a significant
11 interplay, and, again, this is qualitative
12 data, right, that significant interplay of
13 gambling and substance abuse, mental
14 health, crime and poverty at the community
15 level. This is what I mentioned earlier.
16 That all of these issues are all sort of
17 interconnected, and so they all play sort
18 of a role together.

19 And it's an interesting point to
20 think about, right, as just as a point of
21 thought as we sort of dive into looking at
22 whether there is more crime analysis,
23 whether it's other work with the SEIGMA
24 projects or other projects that we have in

1 regards to the special population that
2 allows us to understand a little bit more
3 about that phenomenon and sort what is our
4 public health responsibility relating to
5 that, right? But this is something that
6 had just came out, and I think it's
7 something that merits at least a
8 conversation and a thought.

9 COMMISSIONER STEBBINS: Victor and
10 Lindsey, on this topic, is there any
11 relationship that DPH has in working with
12 say county sheriffs in some of these
13 topics? I grew up in Springfield and
14 Hampden County has been lucky to have two
15 very progressive sheriffs, one who operates
16 the Western Mass. Alcohol Corrections
17 Center, our community mitigation fund is
18 supporting at this point.

19 But I recently met with Sheriff
20 Coachee and he says, you know, they do
21 intake assessments of a lot of people
22 coming through the door obviously for
23 criminal reasons. But I know they'd be
24 interested in as part of that assessment,

1 especially since there's going to be a
2 casino in Springfield, thinking about that
3 early intervention and that assessment of
4 somebody's predisposition to developing
5 gambling.

6 MS. TUCKER: Absolutely. One of the
7 other members of our executive committee is
8 Assistant Secretary Jennifer Cooley from
9 the Executive Office of Public Safety, and
10 we have been talking to her about
11 connecting with some of the folks on her
12 team about the sheriff level and sort of
13 broader corrections and how to begin to
14 think about some of that integration.

15 But the type of conversation that
16 you're mentioning, our substance abuse team
17 has been having specific to the opioid
18 epidemic, so I think there's a lot that we
19 could add on there in those conversations
20 that are already happening, but happy to
21 talk further after about maybe ways to make
22 that connection specifically in
23 Springfield. That would be great.

24 COMMISSIONER STEBBINS: Sure, thank

1 you.

2 MR. ORTIZ: So our next one is on
3 workforce development treatment providers,
4 and that encountered two different
5 activities. One is the revision of the DPH
6 practice guidelines for treating
7 gambling-related problems, and also the
8 revision of a self-assessment to call first
9 step to change.

10 So the practice guidelines, one of
11 the overarching things that I just want to
12 just talk about a couple of points, and
13 then I'll move onto the next slide is that
14 this was first established in 2004. And,
15 so, it was just kind of obvious that we
16 needed to revise it and we did and what
17 we -- not only did we revise it based on
18 the empirical literature review that
19 happened and occurred, but that we're going
20 to move this into a web-based platform.

21 And this allows us at all times to
22 ensure that all of our providers will have
23 access to evidence-based information for
24 the treatment of people with gambling

1 disorders, and this will be great. We are
2 excited at some point to launch it off
3 publically and share it with the world, and
4 so we look forward to that.

5 Our next slide is on we revised a
6 what is known as an evidence-based brief
7 assessment tool called your first fit to
8 change. So we revised that and we're
9 motivated that obviously we're not in the
10 time frame, but also the establishment of
11 the DSM-5 and the last 15 years of
12 literature and our sort of field of
13 problem-gambling informed that work.

14 So now I am going to skip over what
15 we learned here, because I was told I have
16 a couple of minutes and I want to be
17 invited back. So to talk about what we are
18 looking at at FY18, and, again, the
19 continued excitement of this work, and that
20 is we are going to advance the three
21 initiatives that we talked about by moving
22 into the different regions, both Region B
23 and Region A as well as beginning to
24 process for the gap analysis that Lindsey

1 has so wonderfully talked about earlier.
2 So we will be sort of be conducting that,
3 and look forward to that work and the
4 outcomes of that.

5 MS. TUCKER: And that's the next
6 slide, I think.

7 MR. ORTIZ: So the last slide is
8 that we want to be able to introduce three
9 new initiatives. And these align in the
10 space of suicide prevention. I think it's
11 pretty concerning that we understand the
12 disassociation with gambling and suicide,
13 so we really want to get that work rolling.
14 The association through partner education
15 program and do some program assessments
16 there, and begin the sort of coordination
17 of a communications campaign.

18 So I just want to say lastly that I
19 had the easy task today, which is talk
20 about this stuff, right? I can do this all
21 the time. But, really, this can't happen
22 without a whole host of folks. What we're
23 doing is not just reflective of what we're
24 doing at DPH, but really is in partnership

1 and collaboration with so many folks.

2 And I just want to publically say
3 thank you to Mark and Teresa who have been
4 outstanding in our relationship to sort of
5 build this. This is a team effort as well
6 as all the venders who have been gone above
7 and beyond the call of duty to do this work
8 at the really ground level. And, lastly,
9 thank you for the opportunity for us to be
10 able to do this work together, so thank
11 you.

12 CHAIRMAN CROSBY: Thank you.

13 COMMISSIONER CAMERON: Thank you.
14 Great work.

15 COMMISSIONER ZUNIGA: Thank you.
16 Can I mention one thing? Maybe it's
17 building on the same thing, but I did want
18 to mention the Gaming Act does have this
19 big theme of collaboration and that touches
20 many other areas, and not just the one with
21 DPH but public safety and others. And
22 there is also this other theme that comes
23 to mind that, I think, we need to just I
24 want to mention, and that is protecting

1 existing assets and resources.

2 And as we develop strategies to
3 expand on the work that's, you know, that's
4 being done, we need to make sure that we
5 preserve the work and sustain the work that
6 is already done or is already existing.
7 I'm specifically thinking of the Mass.
8 Council on Compulsive Gambling and all the
9 work that they do.

10 I know this was not related to
11 anything having to do with your
12 perspective, but they received a
13 significant cut in the last round of cuts,
14 and I think as we think about all the work
15 that we're going to do in this phase, one
16 of the things I want to have us think is
17 strategies to make sure that we know their
18 work is ongoing, because it's an important
19 piece of the puzzle as we expand in other
20 areas.

21 I just wanted to mention that. Many
22 other agencies and you are -- and DPH is a
23 big target of this annual things that seem
24 to happen every year. But as we continue

1 to expand this efforts, that's an important
2 piece, I think, we need to do.

3 MS. TUCKER: Thank you.

4 COMMISSIONER MACDONALD: I have a
5 comment. It seems to me that there's a
6 real risk here of duplication of effort,
7 and I was wondering if you could address
8 that. It's implicit in what I see is your
9 core finding here, which is the phenomenon
10 of co-morbidities that including mental
11 health, substance abuse, suicide, whatever,
12 that in addressing it that if those
13 different problem groups are being treated
14 by uncoordinated efforts by the state, that
15 it would be inefficient.

16 What are you doing to overcome that
17 risk and work with other agencies or
18 departments within the Department of Mental
19 Health so that we are not, in effect,
20 duplicating efforts here under
21 circumstances of a fine-eye set of
22 resources?

23 MS. TUCKER: Absolutely. One of the
24 most critical things that we have done

1 internally is to sit Victor with our Bureau
2 of Substance Abuse Services. So Victor and
3 I have a direct relationship in the
4 commissioner's office, but he is also
5 physically located within the Bureau of
6 Substance Abuse Services.

7 So he is working with that team as
8 they are doing all of the amazing work that
9 they do around prevention and intervention
10 treatment for the substance abuse work and
11 the opioid epidemic that we are facing but
12 certainly also around alcohol and other
13 substances, so that's number one for DPH as
14 we think about making sure that we are
15 leveraging that work and not duplicating
16 efforts.

17 Victor has also done an incredible
18 job reaching out to other areas of DPH such
19 as our Bureau of Community Health and
20 Prevention and Health Profession Licensure
21 to make sure as we think about community
22 health workers, for example, that we are,
23 again, leveraging efforts and complimenting
24 efforts. And in our work plan and some of

1 the tasks for next year, we really focused
2 on DPH this year is to go to those other
3 sister agencies next year, particularly, as
4 MassHealth, for example, is working on
5 setting up their new accountable care
6 organization. It's a really great
7 opportunity, I think, to talk about this in
8 that context because there's already things
9 that are shifting in the landscape. And if
10 we can be part of that shift, I think that
11 we can help inform some of the ways in
12 which these efforts are paid close
13 attention to but also not duplicated. I
14 think it's a great point.

15 CHAIRMAN CROSBY: It's an issue that
16 the secretary of health and human services
17 have been wrestling with forever as long as
18 I can remember with that very problem. If
19 you need help from DCF, DCF might be one
20 place but DMH is a different place. But, I
21 think, probably this governor and this
22 secretary are as attuned and capable of
23 addressing those potential conflicts and
24 duplications and inefficiencies as anybody

1 is given their backgrounds. It is a real
2 issue and everybody has been wrestling with
3 this for a long time, the fragmentation of
4 service delivery and duplication of service
5 delivery. Anybody else? Great, thank you.

6 COMMISSIONER CAMERON: Thank you so
7 much.

8 CHAIRMAN CROSBY: We appreciate your
9 time.

10 MS. TUCKER: Thank you so much.

11 CHAIRMAN CROSBY: Next up.

12 MR. VANDER LINDEN: Great. So the
13 last agenda item that I have is responsible
14 gaming education week, which was July 31st
15 through August 4th, which was the period of
16 time which I was on vacation. While I
17 helped plan it, Teresa Fiore was certainly
18 the person who spearheaded the efforts that
19 were launched by the Gaming Commission
20 through our GameSense system information
21 center and in collaboration with Plainridge
22 Park Casino. So I want to just turn it
23 over to Teresa.

24 MS. FIORE: Thank you. Good

1 morning. And, again, Teresa Fiore, program
2 manager. So the concept for responsible
3 gaming education week, which I am going to
4 refer to as RG week because it's a mouthful
5 was created in 1998 by the American Gaming
6 Association. The idea behind it is really
7 to connect not only with patrons inside of
8 casinos that are involved with AGAs but
9 also casino staff as well and to really get
10 the message that, you know, as a casino
11 they hold sort of a responsibility to
12 promote responsible gaming and understand
13 problem-gambling.

14 So with that, this is the second
15 year that the Mass. Gaming Commission has
16 supported RG efforts. And as Plainridge
17 Park Casino is the only casino right now,
18 we work closely with them to come up with a
19 fun event for the week. Planning on our
20 end actually started two and a half months
21 before we all sat down, Mark, myself,
22 Elaine Driscoll and Mike Sangalang from
23 communications to come up with a really
24 comprehensive strategy in support of the

1 week.

2 And the three main goals which we
3 tried to achieve with this strategy was to
4 promote the week, increase overall
5 awareness of our GameSense program,
6 including the GameSense folks that are
7 inside the Plainridge Park Casino and to
8 educate the public providing helpful tips
9 to encourage smart play.

10 In order to achieve these goals, we
11 developed and implemented the following
12 strategies: Our over our change theme,
13 which was get to know GameSense was central
14 to the week's activities. We worked with
15 more advertising to create a paid campaign
16 that supported get to know GameSense and
17 offered a daily feature tip, and I'll get
18 into those metrics a little later.

19 We developed new on-site digital
20 signage at Plainridge Park Casino featuring
21 the get to know GameSense theme as well as
22 the daily responsible tips, and those signs
23 can be seen at the end of slot banks. They
24 run on a loop with different PPC ads. So I

1 have pictures of those if you're
2 interested. I didn't include that in the
3 presentation.

4 We worked closely with Plainridge
5 Park Casino and the Massachusetts Council
6 on Compulsive Gambling to launch a series
7 of fun activities on site, which included
8 giveaways, bowling artists and lots of
9 candy was given away that week as well.
10 And we executed a robust public relations
11 and digital strategy over social media
12 throughout the week. That includes the MGC
13 Facebook and Twitter as well as the
14 GameSense Facebook and Twitter.

15 So I'm happy to report that the
16 results of our front of house patron
17 engagements are in, and they show that
18 throughout the week the GameSense advisers
19 had in depth interaction with 147 patrons,
20 which is higher than what we normally see
21 due to just the goals we were trying to
22 reach and the increased staffing of
23 GameSense advisers.

24 A little in-house survey, which I

1 created, was taken by 88 respondents showed
2 a 9.5 out of 10 satisfaction rate with the
3 GameSense experience and 98 percent of
4 respondents said that they could learn
5 something new during their visit to
6 GameSense during the week, which is a
7 number we're really, really happy with
8 which is ultimately the goal of the
9 program.

10 Now switching over to the
11 communication strategies, we're excited to
12 report that early indications suggest
13 marked increase in online engagements and
14 visitors to the GameSense websites
15 estimates include paid advertisements which
16 reached 250,000 people and included 9,000
17 engagements. And for anyone who doesn't
18 know, an engagement includes anything from
19 a light to a video view to a reaction to a
20 comment on anything on the post.

21 The Mass. Gaming Commission social
22 media strategy, which is really a result of
23 Mike Sangalang's operations and work
24 behind, was free for us to do. It reached

1 17,000 people and included 725 engagements.
2 So, overall, these two combined paid and
3 free efforts led to 3,000 page views on
4 GameSenseMA.com which resulted in a 600
5 percent increase when compared to a similar
6 time frame. So we're really, really proud
7 of that number.

8 In conclusion, I would just like to
9 thank Commissioners Cameron and Zuniga for
10 stopping by and representing the support
11 for the GameSense advisers and recognizing
12 the tremendous dedication that they
13 demonstrate not only during this week but
14 every day. We have some pictures of them
15 at the end. I kind of set them up in
16 different places in the info center.

17 So on the left, Commissioner Zuniga
18 is just standing behind our new desk where
19 the advisers typically stand. And at the
20 center, we have Commissioner Cameron
21 standing with Amanda Winters of the Mass.
22 Council on Compulsive Gambling, and she is
23 explaining to her one of our newest tools,
24 which is the cost of play calculators which

1 is something that we use to help patrons
2 understand how slot machines work and try
3 to get an idea of what they would spend on
4 different machines on any given bet, hour
5 and annually. And on the right, we have
6 Commissioner Cameron using our new random
7 vending machine, which is really a way to
8 start a conversation with somebody who may
9 not understand the randomness of different
10 slot machines.

11 CHAIRMAN CROSBY: You couldn't get
12 them to wear the green T-shirts?

13 COMMISSIONER ZUNIGA: That is a
14 PlayMyWay shirt that I'm wearing, by the
15 way. I was just going to say that it's not
16 noticeable in the picture because it's
17 small but...

18 CHAIRMAN CROSBY: Okay, great, good.

19 COMMISSIONER CAMERON: I had other
20 racing responsibilities that day as well
21 so...

22 COMMISSIONER STEBBINS: I didn't
23 recognize Commissioner Zuniga. He looks
24 like a natural.

1 COMMISSIONER CAMERON: Behind the
2 desk.

3 MS. FIORE: So I would like to
4 conclude with a short video produced by
5 Mike Sangalang that includes highlights
6 from the week.

7
8 (Video being played)

9
10 CHAIRMAN CROSBY: Great. Boy, those
11 Wynn folks can't wait to have those
12 balloons. I can see Bob getting exciting.

13 COMMISSIONER CAMERON: Can I just
14 make a comment that it was really enjoyable
15 to be there to see -- and just the level of
16 engagement and the level of enthusiasm. I
17 was particularly taken with some patrons
18 that just stopped in, and I would guess
19 consider them regulars. I don't know that
20 firsthand other than they knew the
21 GameSense agents and they wanted to report,
22 didn't lose money today. Didn't spend more
23 than I wanted to today, and they got a
24 thumbs-up from one of the agents. So it

1 was interesting to see that and see the
2 level of just -- they know one another. As
3 one of the gentleman pointed out, they care
4 about each other. So it was an interesting
5 dynamic to observe firsthand. And they're
6 leaving with a positive attitude, so that
7 was for me something educational to see.

8 COMMISSIONER ZUNIGA: Me too. And
9 let me just build on that, because I think
10 the personalities make the program and, you
11 know, Mark, Teresa, Amanda, certainly, you
12 know, the GameSense advisers, they really
13 are creating, you know, a very good
14 program. It's fantastic to come in and see
15 it periodically from our perspective and
16 see how much they are rethinking certain
17 things, pretty much taking a page from the
18 gaming industry and staying fresh in the
19 look and the promotions and making it
20 attractive so that people can stop in and
21 inquire and at the same time developing
22 that connection, that human connection.

23 So, I think, the program is great,
24 is working great. The space looks also

1 it's recently been spruced up a little bit,
2 which is also something that, you know, you
3 guys work hard at constantly, so it was
4 really good to be there.

5 CHAIRMAN CROSBY: We're researching
6 this to death to try to figure out what the
7 impacts of these programs are, and the
8 first one is we're trying to see whether or
9 not it does help people gamble in the more
10 responsible way, particularly that group of
11 people who might potentially be at risk.

12 But there is beginning to be some
13 evidence that it might be a positive for
14 the whole gaming experience of people
15 walking away saying I'm not going to Twin
16 Rivers because of this. I'm coming here,
17 you know. That makes them feel better
18 about their gambling experience, which
19 would be an incredible home run if we both
20 got our arms around the responsible problem
21 gambling issue a little bit and, in effect,
22 enhanced the experience for our licensees,
23 sort of the market for our licensees.
24 There is just a hint of data of that, but

1 it's starting to look like that. Great.
2 Anything else, anybody? All right, thank
3 you.

4 MR. VANDER LINDEN: Thank you.

5 COMMISSIONER ZUNIGA: Can we take a
6 quick break?

7 CHAIRMAN CROSBY: We are going to
8 call up Dr. Lightbown, and we're going to
9 take a quick break and we'll be right back.

10

11 (A recess was taken)

12

13 CHAIRMAN CROSBY: We are reconvening
14 public meeting number 223 with Item No. 4,
15 Dr. Lightbown.

16 MS. LIGHTBOWN: Good morning,
17 Commissioners.

18 COMMISSIONER MACDONALD: Good
19 morning.

20 COMMISSIONER CAMERON: Good morning.

21 COMMISSIONER STEBBINS: Good
22 morning.

23 COMMISSIONER ZUNIGA: Good morning.

24 MS. LIGHTBOWN: So Suffolk Downs is

1 asking to add two days of racing over the
2 weekend of September 30th and October 1st
3 to their racing schedule. They just
4 finished another good weekend last weekend.
5 And with this request also comes request
6 for the purse money out of the racehorse
7 development fund. Again, it would be
8 similar to what the Commission has approved
9 in the past, 400,000 each day.

10 The HPPA and Suffolk have reached an
11 agreement to alter the purse agreement so
12 that the money will come out of the outs
13 money for the operation expenses of those
14 two days. And I have Bruce Barnett here
15 from Suffolks Down if you have any
16 questions.

17 COMMISSIONER CAMERON: I think you
18 just answered my question, because I know
19 being out there over the weekend there was
20 a question about funding for the operations
21 of two days of racing. But that has been
22 successfully determined to use outs money?

23 MR. BARNETT: That's correct, yes.

24 COMMISSIONER CAMERON: Everyone is

1 in agreement that that's the appropriate
2 use of those moneys?

3 MR. BARNETT: Yes, we are. It's all
4 come together since Sunday. It's been a
5 busy couple of days.

6 COMMISSIONER CAMERON: Okay, yes. I
7 mean, just being out there to see the
8 enthusiasm, to see the number of people,
9 you know, there was, I think, a good time
10 had by all and, you know, the Mass. bred
11 races where the local folks are involved
12 and some of the other higher level races.
13 So it was nice to be out there, and there
14 was quite a lot of interest. So, I think,
15 this is a request we should consider
16 approving.

17 COMMISSIONER STEBBINS: Are you
18 still planning the same number of races
19 both days that you have been trying to meet
20 in the last three days of the last --

21 MS. LIGHTBOWN: The number of races
22 will be decreased. I think we did around
23 10 and 11 the first week, and then this
24 weekend there is just -- there were extra

1 horses because one of the tracks in
2 Pennsylvania was taking a three-week
3 vacation and some of the other tracks had
4 extra horses, so we raced 15 races each
5 day, which is a lot. It really extended
6 our staff and Suffolk Downs staff, long day
7 but everybody went very smoothly. Talking
8 to their racing secretary, Tom Creole,
9 yesterday he doesn't anticipate that
10 happening again for either of the weekend
11 coming up or if you approve the following
12 weekend, it will be more around the 10, 11
13 race.

14 COMMISSIONER ZUNIGA: You know, I'm
15 just curious as to -- I know this -- I'm
16 forever trying to understand the business
17 model of racing, and I know that there is a
18 lot of moving pieces, and there is this
19 whole purse agreement that is now being
20 revised, which is great and sounds like
21 even the recent days, you know, it's a good
22 outcome. There's incremental days, and
23 there's available moneys.

24 But what, if anything, could have

1 been done, what did we learn or what did
2 the horsemen learn in terms of operating
3 costs and, you know, level of activity to
4 want this two more days or maybe that could
5 have been foreseen earlier and then or --
6 you know --

7 CHAIRMAN CROSBY: What's happened to
8 more days? I had the same question.

9 COMMISSIONER ZUNIGA: You know,
10 what's happening that maybe could have
11 helped or could help in the future some of
12 the other horsemen to stay here or, you
13 know, plan accordingly.

14 CHAIRMAN CROSBY: And why two as
15 opposed to four; could we get work for
16 two -- sorry.

17 COMMISSIONER ZUNIGA: Could we get
18 to 25, remember, that whole thing.

19 MR. BARNETT: Appreciate the
20 question. I'm afraid I'm going to
21 disappoint you in not being able to answer
22 it very much. It's a good time as any to
23 say Chip apologizes for not being here
24 himself. Chip Tuttle, the CEO is

1 well-known to you. As I was mentioning
2 during the break to Commissioner Cameron,
3 it has come together fairly quickly in the
4 last few days and he had an out-of-town
5 engagement that he was already traveling
6 on. I came back from my so I could be
7 here, but I didn't come back with the
8 answer to that question, which I apologize.

9 I know one of the factors that
10 you've heard from Chip in the past has
11 always been number of horses. Will there
12 be enough horses to support the days. And
13 at this point, the expectation is that
14 there will be for these two days. We've
15 also with the agreement to use the outs
16 moneys for the additional incremental
17 expenses for the additional two days being
18 able to cover that side of it.

19 As for if there is something new in
20 the trend of expenses this year compared to
21 prior years that has affected either the
22 track's business folks thinking or what the
23 HPPA -- I can't speak certainly towards
24 what the HPPA has been thinking. But the

1 expense money, and the horses we're
2 expecting are both going to be there to
3 make another two successful days this year.

4 CHAIRMAN CROSBY: Was the outs money
5 used previously for expenses; does anybody
6 know?

7 MS. LIGHTBOWN: I don't think it was
8 used for expenses for the races.

9 CHAIRMAN CROSBY: Where has the outs
10 money gone previously?

11 MS. LIGHTBOWN: That's money to the
12 unclaimed tickets. That's why we've asked
13 for an audit. The HPPAs, you know, before
14 we give out any racehorse development money
15 for their operational expenses this year.
16 In previous years, I'm assuming it went
17 into their operational expenses.

18 MS. BLUE: Before we had racehorse
19 development fund money, a lot of it went
20 into purses but it is allocated pursuant to
21 the purse agreement between the track and
22 the horsemen.

23 CHAIRMAN CROSBY: Okay. So it's up
24 to them how to spend it.

1 COMMISSIONER CAMERON: An agreement
2 between the two groups.

3 MS. BLUE: That's right.

4 MS. LIGHTBOWN: An agreement --
5 pursue agreement between the track and the
6 horsemen association.

7 CHAIRMAN CROSBY: Right. Is there
8 more outs money? I mean, is this -- are we
9 going to use up the amount that's there so
10 that explains why they only asked for two
11 days?

12 MS. BLUE: I think, that's a
13 question that Suffolk knows better than any
14 of us. I would imagine a lot of it depends
15 on the amount that's wagered, you know,
16 that kind of stuff, so we'd have to ask
17 Suffolk that.

18 MR. BARNETT: Every year, and Alex
19 might know this better than I or Doug,
20 every year you approve a disbursement of
21 outs money from two years ago. It's a once
22 a year event. Recently you approved the
23 disbursal of the 2015 outs money. You get
24 to the end of the year, there is some

1 limited period of time where people can
2 show up and make a claim on an old ticket,
3 and then there's accounting. And this my
4 understanding is that allocating the money
5 due to the expenses of these two days will
6 eat up over 90 percent of the most recent
7 outs payment.

8 CHAIRMAN CROSBY: Was that a full
9 season? That was before we switched to the
10 six days, right, 2015?

11 MS. LIGHTBOWN: '15 was when we just
12 did three days of racing. But you have to
13 remember that most of the money comes in
14 through simulcasting, and they simulcasted
15 the entire year. So anybody who had a
16 simulcast ticket that they didn't cash
17 would be included in the outs money.

18 CHAIRMAN CROSBY: Okay, that's
19 right.

20 COMMISSIONER ZUNIGA: So is this
21 effectively then just taking advantage of
22 the last two years that Suffolk Downs will
23 be open for business? Are we just getting
24 to the end?

1 MS. LIGHTBOWN: Well, they had -- in
2 their application on October 1st when they
3 put their application in, they did ask for
4 the six days with a possibility that they
5 might come back and ask for more days.
6 They were saying maybe two. So there has
7 been ongoing discussions for, you know, the
8 last, you know, seven, eight months about
9 whether that would work or not.

10 COMMISSIONER CAMERON: And the HPPA

11 --

12 MS. LIGHTBOWN: Mr. Barnett said it
13 came kind of over the last couple of days
14 it came together very quickly. And also
15 the HPPA Paul and Anthony Speida couldn't
16 be here today either for previous
17 engagements they had where everything came
18 together so quickly, nobody was planning on
19 being available today.

20 COMMISSIONER CAMERON: Most of them
21 race out-of-state. So, you know, it's
22 always a question of, yes, we would like to
23 race more but where will those moneys come
24 from for the operations. It's expensive to

1 race for two days. And someone must have
2 just come up with the idea, well, let's see
3 if we can get an agreement on the outs
4 money and that, like I said, came together
5 over the last couple of days.

6 CHAIRMAN CROSBY: That explains
7 things. Okay, anything else? I guess, we
8 need a motion.

9 MS. LIGHTBOWN: On the agenda we
10 broke it down into two. So one vote will
11 be to increase the number of days, and then
12 the second vote will be to approve the
13 racehorse development fund money for the
14 purse money.

15 COMMISSIONER CAMERON: I think we
16 can do that in one motion?

17 MS. BLUE: It would be better to do
18 it in two, because they are two separate
19 issues. You can approve the days, and then
20 you can approve the funding.

21 COMMISSIONER CAMERON: So, Mr.
22 Chair, I'll move that the Commission
23 approve the request of Suffolk Downs for
24 two additional days of racing,

1 September 30th and October 1st.

2 COMMISSIONER STEBBINS: Second.

3 CHAIRMAN CROSBY: Further
4 discussion? All in favor?

5 COMMISSIONER CAMERON: Aye.

6 COMMISSIONER MACDONALD: Aye.

7 COMMISSIONER STEBBINS: Aye.

8 COMMISSIONER ZUNIGA: Aye.

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

11 COMMISSIONER CAMERON: I also move
12 that the Commission approve the additional
13 \$800,000 from the racehorse development
14 fund for purses for these two days.

15 COMMISSIONER STEBBINS: Second.

16 CHAIRMAN CROSBY: Further
17 discussion?

18 COMMISSIONER STEBBINS: How many of
19 the races are going to be Mass. bred races;
20 do we know at this point?

21 MS. LIGHTBOWN: I'm not sure at this
22 point, you know. They already had their
23 stake schedule set out for, and I don't
24 believe -- I think, the final two days are

1 still a little early to have the two
2 year-old stake race on that. I think,
3 they'll want to have that later in the year
4 so I don't -- you know, again, we'd have to
5 check with George Brown but my
6 understanding is that it would be too early
7 to include that race on that final weekend.

8 COMMISSIONER ZUNIGA: And the level
9 of -- the amount is comparable with
10 other -- is it the same one?

11 COMMISSIONER CAMERON: Same one.

12 MS. LIGHTBOWN: It's exactly the
13 same amount that has been approved for the
14 last three years.

15 COMMISSIONER ZUNIGA: For the last
16 two years. And that's on a per day or per
17 race?

18 MS. LIGHTBOWN: It's 400,000 per
19 day, and it varies a little bit, you know.
20 One day may end up being 450,000. The
21 other may be 300,000. And, you know,
22 obviously after the last day of the meet,
23 we reconcile and make sure that they get
24 exactly the amount of money that they spent

1 on horses.

2 COMMISSIONER MACDONALD: I would
3 just make the observation that since what's
4 being proposed is our authorizing \$800,000
5 for the racehorse development fund for two
6 days of racing kind of underscores the
7 controversial nature of the fund and the
8 likelihood of others looking for the fund
9 to underwrite other public purposes.

10 CHAIRMAN CROSBY: Anybody else? I
11 think we're all set. Thank you.

12 MS. BLUE: You need to vote.

13 CHAIRMAN CROSBY: I'm sorry, we
14 didn't vote. All in favor?

15 COMMISSIONER CAMERON: Aye.

16 COMMISSIONER MACDONALD: Aye.

17 COMMISSIONER ZUNIGA: Aye.

18 COMMISSIONER STEBBINS: Aye.

19 CHAIRMAN CROSBY: Opposed? The ayes
20 have it unanimously. Thank you.

21 COMMISSIONER CAMERON: Thank you.

22 MS. LIGHTBOWN: Thank you.

23 COMMISSIONER CAMERON: Thank you

24 both.

1 CHAIRMAN CROSBY: All right. It's
2 11:30. I think we're going to try to power
3 through the MGM and the Wynn presentations
4 before lunch so we can let you folks get
5 out of here. So we will have Ombudsman
6 Ziemba, and first up will probably be Wynn.

7 MR. ZIEMBA: Thank you,
8 Mr. Chairman, Commissioners. Today Wynn
9 Boston Harbor and MGM Springfield will
10 present their quarterly reports for the
11 second quarter of this year ending on
12 June 30th. For the first presentation,
13 we're joined by Bob DeSalvio, President of
14 Wynn Boston Harbor, Jacqui Krum, Senior
15 Vice President and General Counsel for Wynn
16 Resorts and Peter Campot, Director of
17 Construction for Wynn design and
18 development. I will turn it over to Bob.

19 MR. DESALVIO: Thank you, John. And
20 good morning, Commissioners. Nice to be
21 back.

22 COMMISSIONER CAMERON: Good morning.

23 COMMISSIONER MACDONALD: Good
24 morning.

1 CHAIRMAN CROSBY: Before you start,
2 Bob, I'd just like to tell you a story that
3 I have a very good friend who, until
4 recently, owned a B&B in Bethlehem. I
5 think it's called Morning Star, I think,
6 it's called and she spoke very well of you
7 and of the impact of the casino on
8 Bethlehem. I thought you'd like to know
9 that.

10 MR. DESALVIO: Great to hear, thank
11 you. Appreciate that. We are really
12 pleased to be here today and report our
13 last quarter's work on the project. And
14 it's, as you'll see, it's actually a very
15 good report. Significant progress has been
16 made. I'm joined by Jacqui Krum and Peter
17 Campot as John mentioned.

18 And before I actually turn it over
19 to Jacqui for the first section, I think it
20 would probably be appropriate if we can
21 find some time this fall to maybe have the
22 Commissioners come out and do a site tour.
23 There is so much activity, and Peter had
24 mentioned that maybe a good point might be

1 around October, because there is a
2 significant amount of work that's going to
3 be done between now and then and the
4 property will probably present itself quite
5 differently once we turn the corner into
6 October.

7 So maybe if we could work with the
8 staff, and I'd say not only the
9 Commissioners but I'm sure some of the key
10 staff that has not been out. I mean, Joe's
11 out a lot and Ed and John have come around
12 quite a bit for our normal meetings, but
13 there may be some other key staff members
14 that haven't been on the site for a while
15 and the tours are phenomenal. I did it
16 yesterday. And even from week to week, you
17 see a lot going on out there. So if you're
18 okay with that, maybe we will work with
19 your staff and try to schedule the
20 Commissioners to come out this fall.

21 COMMISSIONER CAMERON: Look forward
22 to it.

23 MR. DESALVIO: Great.

24 CHAIRMAN CROSBY: We could just do a

1 separate trip, but we could also do the
2 first meeting in October in Everett, which
3 is something we've wanted to do from time
4 to time anyway, so might combine it with
5 that.

6 MR. DESALVIO: Great, terrific.

7 MS. KRUM: Might be a good time also
8 because we're going to be rolling out some
9 of our transportation and infrastructure
10 improvements right around that time, so
11 that might work nicely.

12 MR. DESALVIO: Go ahead, Jacqui.

13 MS. KRUM: Just on permitting on the
14 local level, our big effort has been on the
15 off-site infrastructure improvements. We
16 have -- in July we received approval to go
17 ahead on the Sullivan Square improvements
18 from the Public Improvements Commission,
19 which we're very excited about. And then
20 as of a half an hour ago, we received
21 approval again from the Public Improvements
22 Commission in Boston to go ahead with the
23 work on Alfred Street, which is that
24 portion of Broadway located in the City of

1 Boston. So those two we're off and running
2 on that.

3 COMMISSIONER CAMERON:
4 Congratulations.

5 MR. DESALVIO: Thank you.

6 COMMISSIONER CAMERON: Some thought
7 that could never be done.

8 MS. KRUM: It was thought it might
9 never be done, but it was done.

10 COMMISSIONER ZUNIGA: It only took
11 two years, I think, to the day.

12 MS. KRUM: That's correct. The
13 other big permitting effort is on the
14 sediment remediation. We have filed
15 Chapter 91. The common period is closed on
16 that. So we're just going through that
17 process and just waiting for the approval
18 hopefully at this point and --

19 CHAIRMAN CROSBY: Does that mean
20 dredging?

21 MS. KRUM: That's dredging, yes, and
22 the removal of the barges. And following
23 our Chapter 91, we have applied already but
24 we're going to wait for a permit

1 modification from the Army Corp. of
2 Engineers, and then we can start the
3 dredging and hopefully get it in this year.
4 I'm going to turn it over to Peter Campot,
5 our director of construction for a
6 construction update.

7 MR. CAMPOT: Thank you. It's a
8 pleasure to be here. I have to say,
9 though, you caused me a lot of stress. I
10 fought back on being on Facebook my entire
11 life. My daughters are not going to
12 understand why I'm on there today, but
13 thank you.

14 COMMISSIONER MACDONALD: Peter, I'm
15 with you.

16 MR. CAMPOT: Thank you. I thought I
17 would recap where we've been. I want to
18 stay on this first slide for a minute. We
19 kind of noticed we just see over a year
20 ago, and since then we have put in place
21 1.5 million square feet of concrete
22 structure. In another you can see by the
23 bright aluminum that's another 6, 700,000
24 square feet of steel structure that's

1 underway.

2 So we've accomplished a lot in the
3 last year. We are 100 percent on schedule
4 all major areas at least to say. The
5 design team and the builder, Suffolk
6 Construction and Jacob are both doing a
7 fabulous job, and so we're moving right
8 along.

9 We're averaging about 700 -- just
10 over 700 people a day on site. That's
11 going to continue to build through the fall
12 probably around 850 when you come out in
13 October. We will have -- if you look at
14 this right now and you look at the
15 right-hand side of the slide, you see that
16 tan roof, that is what we refer to as
17 podium north. That is weather-tight. You
18 can see the cooling towers on the roof.

19 We are installing elevators,
20 escalators, mechanical equipment, interior
21 walls, and that's on schedule to be
22 completed about a year from now, which is
23 about a year early, a little less than a
24 year early but quite early, which is great.

1 We have all the mechanical systems ready to
2 go as we finish the rest of the project.

3 As you move from the left of there,
4 you can see the podium is steel, the
5 aluminum decking. It looks like aluminum
6 steel decking. And that is on schedule to
7 be complete October 1st. That is why I
8 suggested that the Commission come visit
9 mid-October and be able to walk through big
10 portions of that. And then just to the
11 left of that is the half-moon of the tower.

12 We're currently up to the third
13 floor of the towers 100 percent in place.
14 We are forming the fifth floor. Again,
15 that is on schedule to be complete by
16 February of '18, and in October we will be
17 around the eighth or ninth floor depending
18 on which week you come out, so that is
19 really moving right along.

20 COMMISSIONER ZUNIGA: And there is
21 fourth floor, right, Peter?

22 MR. CAMPOT: There's no fourth
23 floor. There's an intrastitial space,
24 mechanic space but there is no fourth

1 floor. And then to the left of that, you
2 can see the convention area. That steel
3 actually starts next week. All the
4 foundations are done. All the underground
5 mechanical is in place, so we're ready to
6 start that structural steel next week. In
7 October the trussells will be erected, and
8 that's on schedule to be complete by
9 November.

10 So what we're trying to do is to get
11 the majority of the roofing in before the
12 winter over the main podium, and then
13 hopefully over the convention center also.
14 That will help the progress over the entire
15 winter. If you study this, if you look in
16 the area of where the marine work is, all
17 the bulkheads are complete. You have nice,
18 neat square lines that you can see. And,
19 so, that is like 90, 95 percent complete,
20 all the outfalls are complete. That was a
21 tremendous amount of work that's all behind
22 us.

23 On the far left-hand side, you can
24 see the living shoreline. And the top

1 third of that looks like nice and neat,
2 little, orange sand. That's new beach
3 sand. We're getting ready to start the
4 planning on the living shoreline, and we'll
5 work our way around into the around towards
6 where they abut the bulkhead.

7 CHAIRMAN CROSBY: You brought in
8 sand for that?

9 MR. CAMPOT: Brought in sand. It's
10 part of the requirements. Brought in sand,
11 loam. So it really looks terrific. I'm
12 excited about it, as you can tell. And
13 then the other major piece of this is that
14 all of the major utilities on site are in
15 place. So all of the major utilities off
16 of Broadway. We have a waterline and
17 drainage lines completely encircle the
18 building. These are all in place.

19 What we have left for utilities is
20 site lighting and drainage for landscaping
21 and some site drainage, but that's in great
22 shape. That will take all of next year,
23 because that's part of the whole
24 landscaping package. We're actually going

1 to start building the main entrance for the
2 roadway this fall into the site, so we're
3 really in terrific shape.

4 CHAIRMAN CROSBY: You're talking
5 about maybe leasing some space from the
6 MBTA facility. Where is that on here?

7 MS. KRUM: That's just to the right
8 of the off the picture. It's a warehouse.

9 CHAIRMAN CROSBY: It's out of sight.

10 MS. KRUM: Yes. That's going out
11 for public bid and, you know, we will bid.

12 MR. CAMPOT: I'll go through some of
13 these photos with you just so you get a
14 sense of what you're looking at. We are
15 moving so fast. I've looked at these
16 photos and think these are really old, but
17 they are really not. They're only about a
18 week or so old.

19 That's the third floor of the tower.
20 Now if you go out there today, you can see
21 we're forming the fifth floor of the tower,
22 so that's 100 percent in place. This next
23 photo, you're actually standing on the
24 third floor of the tower. They do this

1 just to make sure that I'm saying the right
2 thing here. This is to keep me in line.

3 This is very interesting. All of
4 the work in front of the casino in order
5 to -- the whole casino, the first level of
6 the casino is 12 feet above the existing
7 grade. We did that to mitigate potential
8 flooding in the future. So we have a lot
9 of retaining walls right in front of the
10 casino, the front entrance. And that's
11 what's being built there up to the top
12 porte-cochere.

13 Turn to the next slide. Just a few
14 farther back. This is maybe two-weeks old,
15 because that third floor is poured now.
16 Actually, those are the columns for the
17 fifth floor, so that's pretty close to
18 accurate. What you're looking at is
19 standing at the end of the convention
20 center and you can see all these
21 foundations are in, and we're getting
22 prepping for the construction steel to
23 start.

24 This is the view from the bulkhead.

1 It's complete, marine bulkhead looking
2 towards the center. And then this is just
3 one of the walls along the convention
4 center. And then I have some major
5 milestones, but I think I hit all of them
6 as we're going through this. We're just
7 going to continue to power through and get
8 this thing done on time.

9 COMMISSIONER STEBBINS: Peter, on
10 that last slide, is rain water harvesting
11 the same as rainwater collection?

12 MR. CAMPOT: What was the question,
13 sir?

14 COMMISSIONER STEBBINS: Is rain
15 water harvesting the same as rainwater
16 collection?

17 MR. CAMPOT: Yes, yes, it is. That
18 was -- if you went back to the original
19 slide, there is a huge concrete square in
20 the convention center, that's a much more
21 difficult project than you would think.
22 It's a very large tank. We have systems
23 that collect it around the entire site, so
24 it's a major project, major undertaking.

1 It's part of the project.

2 The schedule is attached, big
3 picture, all of these milestones we're
4 hitting. There is one, and I'm not sure.
5 I think it was a computer glitch. It shows
6 on the first page of page one the
7 completion date of the main project is
8 December of '18. I could assure you that's
9 incorrect. We're on schedule for June of
10 '19.

11 All other dates on here across the
12 board we're on schedule to hit. And there
13 is really no -- the only one that's out
14 there, but I think we're in good shape is
15 the Chapter 91 for the dredging, but I
16 think that looks like it's trending the
17 right way, so we will be able to start the
18 dredging.

19 CHAIRMAN CROSBY: What are the major
20 areas of risk for that schedule; what could
21 go wrong?

22 MR. CAMPOT: Well, you know, it's
23 construction. We dropped -- a cogeneration
24 unit got dropped yesterday in transit. So

1 it's hard to know what's going to happen.
2 It was the shipper, so we need to buy a new
3 cogeneration unit.

4 MS. KRUM: We did not drop it.

5 MR. CAMPOT: We did not drop it.

6 COMMISSIONER ZUNIGA: Legal counsel.

7 MS. KRUM: It should be accompanied.

8 MR. CAMPOT: I take responsibility
9 for everything. I should say we had a unit
10 dropped yesterday. But the major risk is
11 what finishings -- we're going to be doing
12 a tremendous amount of finishings, and
13 we've done really well working with the
14 trades and the unions in terms of manpower.
15 We haven't had a problem yet, and I
16 still -- we still are preparing ourselves
17 to have potential manpower shortages, but I
18 think we will be able to work through it.

19 So far we have been able to manage
20 it, but we have the workforce. Wynn is
21 extremely high quality. It's high quality
22 workers. Getting 1,000 high quality
23 workers for the finishes is something I'm
24 just concerned about. But to date, the

1 workforce has been fantastic.

2 CHAIRMAN CROSBY: Are all the major
3 procurements done so you're comfortable in
4 the price?

5 MR. CAMPOT: We're 96 percent
6 procured, so everything major is procured.
7 We have a few minor items left, but really
8 it's behind us.

9 CHAIRMAN CROSBY: So the 2.4 looks
10 like a pretty solid number.

11 MR. CAMPOT: Yes, sir.

12 COMMISSIONER MACDONALD: Peter, any
13 significant workplace accidents?

14 MR. CAMPOT: Nothing significant.
15 Minor, minor bruises and scrapes. We had a
16 piece of equipment that exploded, a person
17 got a gash and it turned out not to be
18 serious. So far knock on wood. It's a
19 huge part of what we're trying to do every
20 day is get every worker home safe.

21 COMMISSIONER MACDONALD: That's
22 extraordinary when you have 750, 800 people
23 a day.

24 MR. CAMPOT: Over 700 right now, and

1 they're working at least 10, 12 hours a
2 day, so we're doing pretty well. We have
3 100 people working on the second shift, but
4 that is part of my count.

5 COMMISSIONER STEBBINS: I have to
6 say that I was impressed just learning
7 about some of Commissioner Macdonald's
8 point some of the safety steps you take.
9 Somebody shows up without gloves or without
10 helmet, it's come back in, kind of get a
11 talking to and the union business agent is
12 right there by your side and stressing the
13 same message, so that's impressive.

14 MR. CAMPOT: We periodically have to
15 remind everybody, but we have been getting
16 great participation. We try to set that
17 tone, I think as I told you, right when
18 they walk through the gate. Safety is
19 first, and that is the number one priority
20 is getting everybody home every day. So
21 it's working. We just have to -- it's not
22 one of those things you can say that you're
23 there. We have to continue to reinforce it
24 every single day.

1 COMMISSIONER ZUNIGA: How about the
2 community, traffic concerns or anything?

3 MR. DESALVIO: It's been actually
4 terrific lately. The biggest issue we had
5 was really earlier in the job, which
6 involved the removal of the soil. And that
7 was probably, Peter, the worst of the
8 trucking that we had to deal with and now
9 we're already past it. And, quite
10 honestly, the only issue we really had
11 there was trying to keep the road clean,
12 because there was so much dirt going on and
13 off the site. We wound up having to do
14 street sweeping daily with our own vehicle
15 that we got. That was really the worst of
16 it. So thank God the big part of that
17 trucking effort is behind us.

18 MR. CAMPOT: The majority of our
19 trucking is behind us, which is great,
20 because the roadwork won't adversely affect
21 us. We're in pretty good shape. Bringing
22 the furnishings in in '19 will be the next
23 huge trucking.

24 COMMISSIONER ZUNIGA: That transfer

1 is gone, right? You won't be able to
2 procure it.

3 MR. DESALVIO: That's correct.

4 MR. CAMPOT: That's right. The
5 transfer on site is gone, but it does exist
6 along our service road.

7 MS. KRUM: If we needed to put it
8 back --

9 MR. CAMPOT: If we needed to, it's
10 very --

11 COMMISSIONER ZUNIGA: You put it up
12 in like a weekend, if I remember correctly.

13 MR. DESALVIO: Yes, it just came in
14 like a set. The pieces are put together.

15 MR. CAMPOT: Bob said it would be
16 easy. It's easy for him to say.

17 MR. DESALVIO: I really was back at
18 the office.

19 MR. CAMPOT: I lost a lot of sleep
20 figuring out how to do that, but it was
21 easy.

22 COMMISSIONER STEBBINS: I like the
23 idea of the Wynn luxury train pulling in
24 and dropping people off.

1 MR. DESALVIO: We'll take that under
2 advisement. Jacqui, do you want to do the
3 off sites?

4 MS. KRUM: Sure. As you know, we
5 are doing work in a number of places, not
6 just in Everett but in Boston, Medford,
7 Malden, a little bit of work in Chelsea and
8 the big part projects we have are listed on
9 this slide, which is Wellington Circle,
10 obviously Sullivan Square and Cambridge
11 Street, Santilly Circle, Switzer Circle and
12 Lower Broadway in Everett and a portion of
13 Lower Broadway is also Alfred Street, which
14 is Boston.

15 So we have broken all of the
16 off-site infrastructure into four different
17 bid packages. Three of them have gone out
18 for bids, and the fourth one will go out
19 for bid in 9, 10 days or so.

20 COMMISSIONER STEBBINS: Is that the
21 Sullivan Square?

22 MS. KRUM: Actually, Sullivan Square
23 has already been out for bid and we expect
24 that back by August 21st. That went out on

1 7/31. So the one that's still going out is
2 the MBTA station improvements, and the Wynn
3 bus shelters at Malden Center and
4 Wellington Stations and the parking lot
5 improvements also at Wellington Station.

6 MR. DESALVIO: Now I was going to
7 switch gears and talk about the update on
8 the diversity, project diversity. We have
9 some really good news to report there. On
10 the design phase, which is nearly complete
11 now, we round up with these, I'm going to
12 call them close to final numbers, for MBE
13 participation we had a goal of 7.9 and we
14 came in at 8.7 percent, and that was about
15 \$5 million worth of work.

16 On the WBE, we had a goal of
17 10 percent came in at about 5/2 for
18 \$3 million worth of work. And then for the
19 VBEs, we had a goal of one percent but
20 really far exceeded that and came in at
21 7.1 percent or \$4 million worth of work.
22 So, overall, for the design phase, we had a
23 goal of 18.9 percent and came in at
24 21 percent.

1 CHAIRMAN CROSBY: Is the WBE number
2 a forecaster of future problems or is it
3 particularly unique in the design?

4 MR. DESALVIO: No. Because we're
5 actually doing very well, and you will see
6 on the next slide when we rolled into now
7 the real construction we've actually are
8 exceeding. So we have been able to really
9 kind of address that in a big way for the
10 construction side.

11 So, for those numbers on the MBE, we
12 had a goal of five and we're at 4/8, so
13 we're pretty close there. And we have a
14 few other things that we're working on that
15 might be able to help that number jump on
16 over. The WBEs, the goal of 5/4, we're at
17 9/8.

18 CHAIRMAN CROSBY: \$99 million for
19 women-owned businesses.

20 MR. DESALVIO: That is a lot of
21 work. Yes, these numbers are amazing.
22 This was \$50 million in the MBE work, and
23 100 million basically on the WBE. The VBEs
24 is at one percent goal. We're at 2.6 now.

1 So, overall, we're a goal of 11/4 and we're
2 hovering about 15.5 percent and over
3 \$150 million worth of work. More
4 importantly, 131 different contracts, so
5 this is a lot of different folks involved
6 in this, which is terrific.

7 CHAIRMAN CROSBY: Is there some
8 double counting there? That number
9 doesn't -- that tally doesn't count --
10 doesn't come to the same as the three
11 together.

12 MR. DESALVIO: Because you can be in
13 more than one classification, that's
14 correct. You're correct, Chairman. And
15 then on the workforce side, really some
16 very good news there. For our minority
17 workforce, we had a goal of 15.3 percent
18 and we're currently at 26.1 percent. And
19 that is on 187,000 hours. Female, which is
20 something that we worked at extremely
21 aggressively, our goal was 6.9 percent.
22 We're at 7.1 percent, and for veterans our
23 goal was 3 percent and we're at 6.9
24 percent.

1 So across the board a big kudos to
2 not only our team that has been working on
3 this but Suffolk and the subs really
4 putting a lot of effort into -- this does
5 not happen by accident, as you know. So
6 they have been really working well on that,
7 and we'll keep that going -- try to keep
8 those numbers going.

9 Also, we follow along with Mayor
10 DeMaria on making sure that quite a bit of
11 this work goes to Everett residents, and he
12 has been very pleased. I think we're up to
13 3 million?

14 MS. KRUM: 3 million-dollars.

15 MR. DESALVIO: 3 million-dollars in
16 salaries and wages so far to Everett
17 residents on the construction side. So he
18 is really pleased that that number
19 continues to rise. And we think it will go
20 up, because he has some -- there is a great
21 workforce in Everett on the finishes. We
22 think we will be able to get quite a few
23 people hopefully on the finish side of the
24 job. So that's something that he made a

1 real commitment to try to bring some jobs
2 locally, and I know Mayor DeMaria has been
3 pleased so far and City Council.

4 On the community outreach front, I
5 am not going to read this. This is three
6 solid pages of different meetings, and I'll
7 let you sort through that. I might
8 highlight a couple with NECAT, Bike to the
9 Sea planning. On 4/29 we had a Suffolk
10 Downs track worker event. That was a great
11 event. We had a really good response to
12 that. We actually added some more folks in
13 the database when we had the event because
14 friends brought other friends to the
15 meeting that were not part of the original
16 mailing that we did, so we actually
17 increased that database, so we will stay in
18 touch with them.

19 The Everett High School Culinary
20 Planning. They are doing a great job over
21 there on their program. And now that I've
22 got some food and beverage folks on board,
23 we think we'll be able to connect nicely
24 with the Everett High School Culinary

1 Program. And, again, this list just goes
2 on and on.

3 CHAIRMAN CROSBY: What's the
4 Champion's Breakfast? 6/22. Sorry, if you
5 don't remember.

6 MR. DESALVIO: 6/22, oh, that is the
7 Mystic River Watershed Association. So we
8 are an annual sponsor of Mystic River
9 Watershed Association, and once a year they
10 bring together all of their partners. This
11 year they were really focusing on two
12 items, which it was actually very
13 interesting. Partners, who is right across
14 the river from us, their new headquarters,
15 and they did a presentation on
16 sustainability. Very similar to what Peter
17 was talking about how we planned our
18 building for future sea level rise, so they
19 focusing on that. And then there's a lot
20 of effort now on the Malden River side.

21 There has been so much effort on the
22 Mystic River that they want to make sure
23 that the Malden River is getting the same
24 attention. Those were the two big things.

1 We've gone to that breakfast every year.

2 That's a nice event that they do.

3 And then I threw in some photos.

4 The first is at our diversity recognition
5 awards. This is when J. Derienzo got
6 recognized for their work. The next is an
7 event we attended with the -- that's a
8 matter with the Hispanic business group
9 that we meet quarterly with, and they had a
10 program that we're involved with. The next
11 one is Boston Youth Build event that we
12 attended.

13 The next one is there's a cleanup
14 day that's done in Everett each year, and
15 we had our whole staff out here. And you
16 will note, Jacqui Krum and her daughter in
17 the photo who worked very diligently. You
18 see Mayor DeMaria. We had a good
19 participation from our staff.

20 The next slide you see will their
21 incredible painting capabilities that they
22 were working on. So, again, we're trying
23 to get out and about to the community as
24 much as possible and make sure that people

1 understand that Wynn wants to be a good
2 community and corporate citizen.

3 MS. KRUM: I'll have to note that
4 the day after the same wall was tagged
5 again, and so they installed this security
6 system so that it can't happen again.

7 CHAIRMAN CROSBY: Can't get that
8 have -- what do you call it?

9 COMMISSIONER ZUNIGA: Graffiti.

10 CHAIRMAN CROSBY: Now they can't do
11 that?

12 MS. KRUM: Well, there's a security
13 camera that will shine a light in someone's
14 face and take a picture of you.

15 COMMISSIONER CAMERON: Oh really.

16 CHAIRMAN CROSBY: Where is that
17 camera? I mean that wall?

18 MR. DESALVIO: That's on their
19 greenway in Everett.

20 MS. KRUM: That's part of their bike
21 path. Actually, one of the subcontractors,
22 Lorenzo, was hugely helpful in this effort.
23 They brought out some machinery, I think,
24 the day before and cleared out the part of

1 it.

2 MR. DESALVIO: I will tell you that
3 the City of Everett and kudos to the Mayor
4 is very aggressive in terms of cleaning up
5 any graffiti. I know that because we -- on
6 one building we had there was something on
7 it and within a day, I think, I got a
8 notice that if we don't get it off, there
9 will be a fine. They're very aggressive,
10 which is great because they really make an
11 effort to keep the community just as clean
12 as possible, and I like to see that. And
13 this cleanup effort was terrific. They did
14 a lot of work on the area where they hope
15 to ultimately connect the bikeway all the
16 way through and down to our property.

17 COMMISSIONER CAMERON: So this
18 camera has a light and then it takes a
19 picture.

20 MS. KRUM: Right.

21 COMMISSIONER CAMERON: I saw one
22 that also spoke to the people.

23 MS. KRUM: It does that, too.

24 COMMISSIONER CAMERON: And they fly

1 away. We see you. You know, it's like a
2 recorded message and the police are on
3 their way or whatever and these kids were
4 boom, out of there, wow.

5 COMMISSIONER ZUNIGA: Can I say
6 something to you about being in the
7 community, Bob, because I attended that
8 event in Lynn, and that picture is just a
9 sample, and pretty much everybody in the
10 event came in and said hello to Jenny and
11 embraced her actually and they know her
12 well. And it's just a testament of how
13 present you are, not just you but of course
14 Jenny and the rest of your team. It says
15 something remarkable, which then in
16 conjunction with the number of events that
17 you list really speaks loudly as to your
18 presence.

19 MR. DESALVIO: Thank you. We
20 appreciate that.

21 COMMISSIONER STEBBINS: I had a
22 quick follow-up question. You guys were
23 very aggressive in reaching out and pulling
24 together an event of small food truck

1 venders to service all the folks you have
2 working on the site. How has that gone,
3 how many food trucks are you using or local
4 food truck venders are you using?

5 MR. DESALVIO: I see them on the
6 site, Peter. I don't know the numbers.

7 MR. CAMPOT: We have two food trucks
8 out there full time right now, and we might
9 add a third. We're open-minded about
10 having a third. It really comes down to
11 whether they feel like they have enough
12 business. It's going very well.

13 CHAIRMAN CROSBY: That's some local
14 provider?

15 MR. CAMPOT: Yes, sir.

16 CHAIRMAN CROSBY: Great.

17 MR. BEDROSIAN: So, Commissioners, I
18 think I told you individually, Jon, Joe and
19 I were out there on Friday, I think, and
20 the amazing thing that really struck me is
21 it feels like, you know, when they did the
22 prep work, and that is a nonconstruction
23 word, I apologize, they took the site down
24 and now they're literally building it back

1 up. And one example Peter pointed out a
2 roadway after you exit the portico that
3 will take cars either to the garage or I
4 guess out. And there were manhole covers
5 that were well above our head that will be
6 the roadway, and that roadway will be
7 grade, and just it's the whole place.

8 CHAIRMAN CROSBY: Is this an
9 anticipated climate change issue?

10 MR. DESALVIO: Yes, we would up
11 lifting the building up. So as Peter
12 mentioned, we're about 12 feet off of sea
13 level, but the casino floor level is
14 actually 24 feet above sea level.

15 CHAIRMAN CROSBY: But that wasn't
16 just because of normal tides. That was
17 because of anticipated --

18 MR. DESALVIO: That's right. We
19 went to a 500 year flood level and thinking
20 about this, and we sort of picked the whole
21 building up. So really the first level of
22 parking, while it will appear to be
23 underground because of the grading that Ed
24 just talked about, really is at grade and

1 then we pulled the building up and of
2 course all the mechanical systems. The
3 only thing that's below grade are the
4 ventilation fans that are within the
5 parking garage, because we need them
6 obviously to exit fuming and things in the
7 garage.

8 But other than that, every other
9 mechanical system has been raised up inside
10 that north podium area. We brought that
11 up. We went to the living shoreline so
12 that we could get gentle. As tides come up
13 instead of ripping into a bulkhead, they
14 can actually come up and then recede
15 without doing a lot of damage and the only
16 bulkhead where we needed to at the docks.
17 And so a lot of thought and time went into
18 the issue of future sea level rise, because
19 we know it's coming.

20 There was an article in the Globe
21 this week about some of the new studies,
22 and it appears to be even a little worse
23 than what they thought. So we just want to
24 make sure we're prepared for it.

1 CHAIRMAN CROSBY: Obviously a lot of
2 people are going through this, a lot of
3 developers are going through this but it's
4 just really a dramatic case in point about
5 the cost impacts of these potential
6 changes. It's really interesting.

7 MR. DESALVIO: And better to do it
8 now when we're under construction than
9 worry about this stuff later on. Any other
10 questions?

11 CHAIRMAN CROSBY: Is that it?
12 Great.

13 COMMISSIONER CAMERON: Great. Thank
14 you.

15 COMMISSIONER ZUNIGA: Thank you.

16 MR. DESALVIO: Thank you.

17 CHAIRMAN CROSBY: Great. Thanks
18 very much. Congratulations. Go ahead,
19 Jon. I'll be right back.

20 MR. ZIEMBA: Commissioners, the next
21 item is MGM's Springfield quarterly report.
22 I'll ask them to join me up here. In
23 addition to the quarterly report, MGM
24 Springfield will provide some information

1 regarding items that more recently
2 occurred, including the Springfield City
3 Councils action on the timetable for the
4 residential units that have been required
5 by Springfield and the Commission.

6 They'll also provide an update
7 regarding information contained in MGM
8 Resort's recent 10Q filing for the second
9 quarter that was made earlier this week.
10 Among the other items, the 10Q includes
11 updated project and cost information for
12 the MGM Springfield project.

13 As the Commission is aware, the
14 commission and commission staff have been
15 focused on the status of the project and
16 its cost throughout our reviews of the MGM
17 Springfield project and, specifically,
18 during this year. While MGM Springfield
19 will provide some updates on these items, I
20 recommend that the Commission schedule
21 another status update with MGM Springfield
22 in September.

23 September is one year before the
24 currently projected opening date. In

1 contrast to a quarterly report, which
2 predominately focuses on the past quarter,
3 we have discussed with MGM that a
4 presentation in September would be useful
5 as we begin this last stretch before
6 opening day.

7 We can focus more on the specifics
8 of many potential areas such as budgets,
9 schedule, programming of the facility and
10 MGM's progress n fulfilling conditions.
11 Overall, even with today's comparatively
12 less contemporaneous review, I think you'll
13 see MGM's impressive progress and the
14 construction of their facility.

15 As we are all aware, MGM enjoys an
16 international reputation for building great
17 projects. Our focus today in the proposed
18 September meeting and during this next year
19 will be on how MGM is working to ensure
20 that MGM Springfield is one of these great
21 projects. And with that, I turn to Seth
22 Stratton, MGM's Springfield Vice President
23 and General Counsel, who will introduce the
24 deem.

1 MR. STRATTON: Thanks, John. I
2 appreciate it. The nice thing for me is
3 our team is ground now. All I have to do
4 is introduce people, and they have to do
5 all the hard work. Joining me today here
6 is Brian Packer, our Vice President of
7 construction, Courtney Wenleder, our Vice
8 President and CFO and Alex Dixon, our
9 General Manager. In a moment, I'm going to
10 pass it over to Brian to go over our
11 construction project, Courtney will touch
12 on our budget, and then Brian will review
13 diversity, and then Alex will close it out
14 with some of our conclusions and some of
15 our upcoming milestones.

16 Before I do that, I just want to --
17 John asked me to touch on our ongoing
18 discussions with the City. We've had a
19 number of productive discussions lately on
20 a variety of issues. Our teams are working
21 very well together, and I think we and the
22 City are on the same page on virtually
23 every issue that comes up.

24 So it's been a really good

1 relationship with the City, and I think
2 that was borne out in our recent amended
3 host community agreement to our extended
4 time line for a residential development.
5 We addressed that when we were before you
6 last, and we anticipated that we would
7 amend the ATA. We did that on July 17th.

8 Essentially, we pushed off the
9 residential component for a total of 18
10 months post-opening essentially at the
11 request of the City to allow greater
12 flexibility to pursue the 31 Elm
13 development in downtown Springfield, which
14 we all believe could be transformative for
15 the City.

16 That was well-received by City
17 Council and various stakeholders after
18 being proposed by the Mayor and his team.
19 The amendment was unanimously supported by
20 the City Council, and so that has been
21 amended.

22 And just to remind the Commission,
23 this essentially -- this was an effort to
24 buy additional time. We all acknowledge

1 that we didn't want to be in a position
2 where neither the City nor us nor the
3 Commission wanted to be in a position where
4 MGM wasn't complying with their deadline
5 with the ATA, so that was the reason for
6 the amendment.

7 We anticipate that a further
8 amendment would be needed once all the
9 specifics of the 31 Elm project are worked
10 out. And I know that the City team is
11 working collaboratively with Wynn
12 Development and the preferred developer and
13 is giving us some updates on that.

14 So, we are excited about that, but
15 we are relieved to be able to focus on the
16 project at hand and revisit that exciting
17 development as we approach our opening. So
18 unless there are -- it looks like you have
19 a question, Commissioner.

20 COMMISSIONER STEBBINS: Just a quick
21 question. What's the original housing
22 proposal was for the former school
23 department building, what's the status of
24 that building in your MGM is either roll

1 with that or is it going back to the city
2 to pursue or developer or kind of just on
3 hold for now?

4 MR. STRATTON: It's on hold. We
5 still own it. We are maintaining it. We
6 are hopeful that this project at 31 Elm
7 would move forward. And part of the
8 discussions with the City are as part of
9 our contribution to the overall project,
10 not only would we make a financial
11 contribution, but we would essentially
12 donate that building back to the City so
13 that they could pursue development
14 opportunities, which the City is thinking
15 the best thing to do there would be
16 additional residential that the City would
17 pursue. So that would be we're holding it.
18 We're maintaining it, and it would be part
19 of the overall residential development.

20 CHAIRMAN CROSBY: What was the
21 purchase price of that building?

22 MR. STRATTON: The purchase price
23 was approximately \$600,000, and we've spent
24 several hundred thousand in maintaining and

1 making some improvements to the building
2 this far. Great. Without further ado,
3 I'll pass it on to Brian Packer to address
4 construction. And while he starts off,
5 we're going to play musical chairs so that
6 Alex can get in here. Thank you,
7 Commissioners.

8 MR. PACKER: Good morning.

9 COMMISSIONER CAMERON: Good morning.

10 COMMISSIONER MACDONALD: Good
11 morning, Brian.

12 COMMISSIONER ZUNIGA: Good morning.

13 COMMISSIONER STEBBINS: Good
14 morning.

15 MR. PACKER: So this quarter is
16 really as Randy Pitts was saying, our
17 general superintendent, you need to make
18 pay while the sun is shining. So this
19 quarter that I'm reporting on and obviously
20 the one we're now it's all about, and
21 you've heard me say this before, getting
22 ready for winter and making sure that the
23 building is generally watertight to support
24 interior construction over the wintertime.

1 So what you'll see here, and the
2 aerial is kind of a good example of it, you
3 see from the comparison from March it was
4 going from metal deck areas and steel
5 construction kind of wrapping up, the tower
6 partially complete in March to now in June
7 a lot of the roof work done, some of the
8 air handler units in place, the pool deck
9 areas as an infill of where you will
10 remember that one support crane was right
11 behind the tower, all of that work is now
12 behind us. And you're really looking at
13 the outline of the structure of a fairly
14 close to what it's going to be when we
15 open.

16 The garage also had a significant
17 milestone in this quarter where we had the
18 topping off in the garage, the last piece
19 of precast installed, and the garage kind
20 of finishes out there along MGM Way, and
21 that work was also completed.

22 This is a look mid-March from the
23 Armory down onto the Plaza area and
24 straight ahead is the convention deck where

1 you will have a wall and a pre-function
2 area there and the convention area that
3 actually what you will able to walk out
4 onto an exterior terrace up above grade.
5 So that's the look of the terrace starting
6 to take shape and the crawler crane that
7 you see that used to be there.

8 So if you go to then the next slide,
9 you can see how that's all starting to fill
10 in and the back of the hotel green board,
11 exterior wallboard going in. You can start
12 seeing where all the windows are going to
13 go.

14 CHAIRMAN CROSBY: Could you go back?

15 MR. PACKER: Sure. Back and then
16 forward. The front exit -- the emergency
17 exit stairs on the plaza there taking
18 shape. And, so, when you're out there
19 today as a pedestrian, you can feel what
20 that plaza is going to be like.

21 This was a shot that, you know,
22 maybe a year, year and a half ago we used
23 this angle to show you most of our
24 progress. And now it's not a great angle

1 for that anymore, because we pretty much
2 topped out the work in this area. So this
3 is your -- this is the view kind of down
4 from 95 State over the site. You see the
5 roof work generally complete, some
6 logistics basically plywood production we
7 had down. We figured out a quick way to
8 get from the loading off of Main Street all
9 the way over to central plant. So
10 construction crews have been using that
11 walkway a good amount. And then right
12 beyond that is the convention center roof,
13 and that is now complete as well.

14 COMMISSIONER MACDONALD: Brian, is
15 this a photograph or is it a graphic?

16 MR. PACKER: This is a photograph.

17 CHAIRMAN CROSBY: Looks like a
18 rendering.

19 MR. PACKER: And then next you see
20 the majority of the scaffolding now around
21 the site is complete, especially that kind
22 of money shot along Main Street where the
23 main entrance to the hotel casino will be
24 on the corner. On our website, you kind of

1 see a rendering of this with the trolley
2 going by, so this is all starting to take
3 shape. If you're out there today, the
4 majority of the green board for these areas
5 are complete, and we're getting ready for
6 windows to start showing up in October.

7 Podium construction progress here on
8 the left, some of this framing will stay in
9 place. Some of this framing was actually
10 used for a mockup where we were exploring
11 some different construction methodologies
12 for the casino podium. Finishes for
13 executive review took place here about a
14 month ago, and that enables us then to get
15 past those conversations approvals, and
16 then move on throughout the podium with
17 framing. So you'll see a significant
18 amount of framing here in the next quarter
19 taking place on the interiors.

20 The photo on the right really just
21 kind of speaks to, you know, there has been
22 actually here I'd say for the last two
23 months, we had rain at least once a week,
24 if not twice a week and some of it's been,

1 you know, pretty good downpours. So, you
2 know, we're working Saturdays to try to get
3 past that hump of, you know, can we go from
4 temporary roofing to permanent roofing so
5 that come the fall, we're not dealing with
6 those kind of temporary issues.

7 This was another cool milestone for
8 us. The support of 73 State Street that, I
9 believe, you all have seen when we've done
10 our site tours. This temporary support was
11 there for when we, you know, kind of
12 segregated the front facade of this
13 building off the structure that was holding
14 it up for all these years.

15 We were able to tie the facade that
16 we were saving into the new podium steel,
17 and then take off the temporary supports
18 along State Street. So that portion of the
19 kind of partial demolition all the way
20 through reconnection is now complete, so
21 that was an exciting milestone.

22 Then inside of 73 State, which is
23 kind of interesting on the right-hand --
24 the right picture there, you can actually

1 see some of the old fireplaces in the brick
2 structure. And that's actually on both
3 sides of that building you see that. There
4 was one of the fireplaces that we have
5 salvaged from this building, and it will be
6 reinstalled in our main hotel lobby, so
7 kind of a neat story there.

8 And on the left, you can see some of
9 the exterior photographs starting to tie in
10 the new podium structure with the green
11 board, scaffolding up to that existing
12 facade of 73. And you can start seeing
13 what the approach down to the garage what
14 it will look like along MGM Way.

15 Another important milestone that you
16 see in the upper picture, and then it's
17 missing in the lower picture is the
18 construction crane was also disassembled
19 and demobilized during this period.

20 The parking garage, the facade along
21 the main entry point has been completed and
22 the intricate kind of different styles of
23 brick and precast installed. And then on
24 the next slide, we had the topping off of

1 that garage down in the corner closest to
2 the highway. And Tishman actually
3 sponsored a lunch for all the workers on
4 that day. I think it was a pig roast, and
5 they had five pigs brought in. We were
6 joking actually. The invent took place at
7 11. By 11:30 all the food was gone. We
8 said at the next event we will have to have
9 somebody actually serving the portions.
10 Because if you let the workers do the
11 portions themselves, they have a pile of
12 pork on each plate was huge. So we are
13 trying to figure out what the next event
14 there is. And just a few more shots here
15 of progress.

16 CHAIRMAN CROSBY: Is that from -- on
17 the top one, is that from MGM Way or is
18 that Union Street; what is that?

19 MR. PACKER: Let's see, I flipped
20 ahead. Are you on this slide or the
21 previous one?

22 CHAIRMAN CROSBY: This one, the
23 upper left.

24 MR. PACKER: So in the upper left

1 there, that would be along MGM Way right
2 where it kind of turns.

3 CHAIRMAN CROSBY: So that's
4 Commissioner McHugh's cladding.

5 MR. PACKER: So you could see this
6 from say State Street.

7 CHAIRMAN CROSBY: From State Street,
8 okay, yes. He'd love to see that. That's
9 double spades.

10 MR. PACKER: We started on the
11 inside, the striping stalls, sealing the
12 concrete. There is still some work to do
13 from MEP fire protection standpoint, but we
14 hope to be getting into a punch list on
15 this garage in probably around October.
16 And on the right, you see, you know, after
17 the precast goes in, there is still an
18 amount of baccara insulation and calking
19 that has to take place. One of the workers
20 is performing that here in the photo.

21 So a couple of views here from the
22 Armory. The plaza area is on the right.
23 That was a picture right from that
24 convention kind of terrace deck I was

1 speaking about, and that's the view you see
2 right from our convention area, right over
3 to the Armory. So you can just picture
4 that uplit at night when it's finished. It
5 should be a very active plaza atmosphere.

6 On the left coming down Howard
7 Street towards the circle at the top
8 picture, you can -- Red Rose would be on
9 your left-hand side. You can see the
10 definition now of the plaza taking place in
11 relationship to the Armory and the podium.
12 Straight ahead it's hard to see but hidden
13 by the scaffold, you'll have that animated
14 screen, large screen in the plaza for
15 events. And on the bottom picture on the
16 left gives you just a different perspective
17 basically from the pool area down into the
18 plaza.

19 A few shots of progress along the
20 entertainment block. We had the
21 scaffolding installed over there going past
22 the Armory, the church, we're finishing up
23 what improved the installation for all the
24 sandy block that was around the church.

1 CHAIRMAN CROSBY: Have you settled
2 on programming for the church?

3 MR. PACKER: We're very close. I
4 think, Mike will be prepared to speak to
5 that in September. I don't want to speak
6 too much on it until they are done with the
7 deal. I think, they are fairly close.
8 We've studied that a lot, and I think have
9 come to a very exciting concept.

10 And then on the next slide a few
11 more shots of the entertainment block. You
12 see the scaffolding working its way down
13 towards the end of the cinema. Once it
14 turns the building there, you're turning
15 back towards the garage. And then the
16 picture on the right is a shot from the top
17 of the Armory back down along the
18 entertainment block as well. Kind of see
19 the area where the ice rink will go.

20 A little bit of a design update. We
21 submitted our 95 percent progress set to
22 both City of Springfield and the Historical
23 Commission, which is required by multiple
24 agreements. The design work on the child

1 care center continued, and we got to a
2 point where we had construction documents
3 and put those out on the street for bid.
4 We're fairly close to hiring somebody to
5 perform that work hopefully here in the
6 next month.

7 Exterior signage concepts have been
8 reviewed. We've gone back and forth with
9 the City a little bit and their
10 consultants, and we presented to City
11 Council a preview of the signage package,
12 and we'll do it more formally here in the
13 upcoming month.

14 Civil site plans, addendum three,
15 generally that was just to address City
16 comments, Department of Public Works
17 comments. The hotel podium fit-out
18 packages, so interior work. We have those
19 developed to a point where they have been
20 issued for permit. To our construction
21 team, it will probably be issued to the
22 City here in the next two weeks.

23 95 State Street Delta 2 was issued.
24 That should be the last major Delta here

1 for 95 state, because we're hoping to
2 complete that work by the end of year.
3 That is where all the executive offices
4 are. And then Delta 6 to the podium core
5 and shell, generally, that's just cleanup
6 work for the exterior facade.

7 CHAIRMAN CROSBY: What's Delta 6;
8 does that mean change?

9 MR. PACKER: So, you know, after we
10 issue for permit, we'll track it on a Delta
11 so that we can -- we know how many changes
12 were put into this version. And some of
13 them at this stage could be fairly minor,
14 but you're trying to catch up and make sure
15 the documents matches what engineers have
16 issued a field sketches and what have you.

17 COMMISSIONER STEBBINS: Brian, the
18 exterior signage concepts, is that taking
19 into consideration all the stuff on top of
20 the garage kind of outward facing towards
21 the highway?

22 MR. PACKER: So that was actually
23 completed and presented back in September
24 and approved at that time, because we were

1 coming out of the garage earlier than
2 everywhere else. In that package had the
3 main marquee, the static signs that go
4 around, and then the plaza animated sign
5 that's in the plaza was part of that.

6 So this package picks up some of the
7 larger branding signs that you would see
8 that might say MGM or MGM Springfield or
9 hotel. Some of the exterior type signs
10 that weren't captured in that garage
11 discussion. And then later, you'll
12 probably have -- you'll see another wave as
13 we get closer to opening for smaller
14 branding signs of restaurants and that type
15 of thing, but we're not quite there yet on
16 those.

17 The reason for doing the phasing is,
18 obviously, I'm wrapping up the exterior of
19 the building. Wherever you have some of
20 these signs, you need steel support or
21 backing to support the weight of these
22 signs. So we are looking to get that in
23 here before everything gets wrapped up in
24 the fall.

1 Schedule, we've submitted each month
2 our required schedule submissions to the
3 Commission. Nothing really to note here
4 other than we are still on track for the
5 September date. For me, that means that
6 basically a TCO date with construction in
7 early August to give operations a period of
8 adjustment as they work towards public
9 opening date.

10 COMMISSIONER ZUNIGA: COD,
11 certificate of occupancy?

12 MR. PACKER: Temporary certificate
13 of occupancy. Typically you'll get a
14 temporary for certain conditions, and then
15 you'll work through a final over the next
16 four to six months. And with that, I'll
17 turn it over to Courtney for the budget
18 update.

19 MS. WENLEDER: Good afternoon.

20 CHAIRMAN CROSBY: Good afternoon.

21 COMMISSIONER MACDONALD: Good
22 afternoon.

23 COMMISSIONER ZUNIGA: Good
24 afternoon.

1 MS. WENLEDER: I'm going to review
2 the project expense to date. We have
3 incurred 482.1 million in project costs
4 through the second quarter of 2017. Total
5 project spend increased 86.9 million or
6 21.9 percent increase in the last quarter.
7 Total capital cost increased 76.5 million,
8 which represents 88 percent of the total
9 increase. Preopening increased
10 5.5 million, which includes 2.6 million in
11 gaming assessments and approximately a
12 million in payroll. And then capitalized
13 interest increased 4.8 million.

14 On this next slide, I wanted to take
15 a minute to comment on our second quarter
16 10-Q, which was issued a few days ago. The
17 Q stated a revised budget of 960 million
18 excluding cap interest and land. This
19 represents approximately \$95 million
20 increase to the budget since the last
21 quarterly filing.

22 As mentioned earlier, we're in the
23 process of updating our budget to reflect
24 this change, and we plan to come back in

1 September to provide the Commission a
2 detailed explanation of the revised budget.

3 COMMISSIONER ZUNIGA: Can I just --
4 to clarify, the 960 in that slide should
5 not be compared to the range at the bottom
6 of this slide because this one does include
7 land and capitalized interest, correct?

8 MS. WENLEDER: That's correct.

9 COMMISSIONER ZUNIGA: But the net is
10 that 95 million that you speak about in
11 that slide, which you will update in the
12 coming days; is that correct?

13 MS. WENLEDER: That's correct, in
14 September.

15 CHAIRMAN CROSBY: Because this slide
16 doesn't include that, right?

17 MS. WENLEDER: No, this is as of
18 June 30th.

19 MR. PACKER: So if there is no
20 further questions on that, I'll move into a
21 diversity update.

22 CHAIRMAN CROSBY: Brian, excuse me.
23 Same question I asked Wynn. What
24 percentage of the procurement is done; are

1 there still even after this 95 million, are
2 there risk -- major risk factors?

3 MR. PACKER: Yes. I think for
4 myself when I look at risk factors going
5 forward as it would relate to budget, we
6 have approximately 60 million of work left
7 to buy, if you will.

8 CHAIRMAN CROSBY: 60?

9 MR. PACKER: Yes. Now, with that
10 60, I have between 30 and 35 million of
11 bids in-house that we're currently
12 reviewing. And some are up slightly. Some
13 are down slightly. So I don't think in
14 that first 35 million you're going to see a
15 major variance to what was projected in the
16 numbers just shown.

17 The other 30 will be a mixture of
18 I'd say about 15 that will trickle in over
19 time, because it's small items that get
20 resolved typically in the last six to eight
21 months of the job, awnings, interior
22 signage, maybe do our hardware accessories.
23 So there's small pockets of money that just
24 come in drabs.

1 The other big portion that's sitting
2 out there will be the cinema, and that ties
3 into tenant discussions obviously, the
4 tenant plans for that cinema. And once
5 design gets developed enough, I'll be able
6 to buy the cinema.

7 CHAIRMAN CROSBY: What's that order
8 of magnitude?

9 MR. PACKER: It will depend on
10 operator needs but plus or minus it could
11 be between 10 and 12-million dollars. We
12 are going to build the exterior shell that
13 it's the interior fit-out of the cinema.

14 COMMISSIONER ZUNIGA: So you're
15 still in discussions relative to that
16 contract, if I remember correctly?

17 MR. PACKER: Yes, that's correct.
18 And on that specific item, I believe we'll
19 be able to give you a lot more detail in
20 September as well. The cinema itself for
21 me once I get past these rewards we're in
22 negotiation would be probably the biggest
23 piece of risk that's part of these numbers.

24 We do share some of the same

1 concerns Wynn had on manpower obviously,
2 not looking to have as many individual
3 workers on site per day as Wynn will ramp
4 up to, but we will probably ramp up to
5 about 800 a day. We're about 550 right
6 now. We see some stress in a few of the
7 unions at this point, but they're working
8 with us to get travelers and what we have
9 to do. And, so, it's those two things and
10 then obviously weather. And, you know, if
11 we can get through the fall here, getting
12 closed, get the windows here on the time,
13 that will control a lot of that concern.

14 CHAIRMAN CROSBY: What's the
15 remaining contingency number on there? I
16 didn't see it on there. It's probably
17 there. I didn't notice it.

18 MR. PACKER: I believe, don't hold
19 me to the exact number, but prior to this
20 we hope to approximately 40 million. I
21 think in the new update it will about 30.

22 COMMISSIONER ZUNIGA: Brian, just in
23 general and maybe this is a little, you
24 know, some of the discussions that we

1 should think about in September or later
2 but when does the operation people really
3 start to get in and, you know, relative to
4 the schedule and when do you essentially
5 start to hand off some of that; is that
6 that August date?

7 MR. PACKER: Yes. So we'll have a
8 series of events that are going to start,
9 you know, with slot machine load in early
10 spring of next year all the way through
11 opening. So we'll kind of have an
12 activation checklist and say, hey, day 150
13 out from opening start this or we have to
14 complete this. Here it's a little bit
15 different than some of the other projects I
16 am involved with that we do have a positive
17 note of 95 State.

18 So Alex, Mike, the team, they're
19 going to be able to get in their offices
20 sometime early next year where typically
21 they may only move in 90 days out before
22 opening. Some cases 60 or 30 depending on
23 how much construction is squeezed, right?

24 So the first piece of, you know, the

1 coordination we have to do is on 95, the
2 employees that will be hired early next
3 year will work out of 95 as well as parking
4 for those employees and can we utilize the
5 garage early. Those are the first level of
6 discussions we are having. Then it's
7 obviously related around slots, security,
8 slot movement and then you will get into
9 120 to day zero kind of time frame that,
10 you know, multiple things are happening
11 every day.

12 CHAIRMAN CROSBY: Good luck.

13 MR. PACKER: Thanks. We have 51
14 Sundays left until I have to give them the
15 keys. So on diversity, still very positive
16 numbers here. This is design and
17 construction looking across the whole
18 project, combined, project target for WBE
19 10 percent, commitments are currently at
20 19.5. MBE 5 percent target. We have 8.9.
21 And on VBE, we have a target of 2 percent.
22 We're currently at 7.6 percent.

23 And I do point out I know every
24 meeting, but if you look at the company

1 count here and the amount of companies that
2 are now involved, it's, you know, we're
3 well over hundred now. So a lot of active
4 participation here and a lot of work that
5 goes into making this happen. Continued to
6 track this obviously every month with DOC
7 and then also internally on kind of
8 projections and forecasts to try to make
9 sure we stay on track through the project
10 and closed.

11 And then if we look at the design
12 and construction side, on the WBE side, we
13 have a goal of 10 percent. We hit
14 16.5 percent commitments. On the MBE side,
15 we hit 12.7 percent commitments and on VBE
16 we have 7.1 percent commitments. So this
17 gives you kind of the subset of design of
18 those numbers.

19 CHAIRMAN CROSBY: That's great.

20 COMMISSIONER ZUNIGA: These are all
21 great numbers, because you're exceeding
22 that. But what is the difference between
23 design and construction or design and
24 consultant?

1 MR. PACKER: So we've been asked --
2 our plan requires us to report design and
3 construction combined. It's really one
4 goal for the project, but we have been
5 asked to report also the subsets of, hey,
6 what does the design look like inside of
7 that and what does construction look like
8 on its own? So this is just a breakout of
9 that first slide, design and consultant
10 specific.

11 COMMISSIONER ZUNIGA: Okay. And the
12 balance being construction.

13 MR. PACKER: Yes. So on slide 29
14 and 30, it gives you a breakdown of those
15 design or consulting services, the
16 companies, where they are from. And then
17 if they are highlighted in green, we have
18 paid those companies already at least a
19 portion of their contracts. And if they
20 haven't been highlighted yet, they are just
21 under contract or we're expecting to use
22 them between now and the end of the
23 project.

24 And then on slide 31, we give you

1 that construction subset, which would be
2 the balance. And for construction
3 commitments for WBEs a target of 10. We
4 had commitments of 19.9. For MBEs target
5 of five, commitments 8.4 and VBE target of
6 2 percent. We have commitments of
7 7.7 percent. And then we do kind of a
8 similar breakdown for you of those
9 companies. And, currently, on the
10 construction side, we have 92 different
11 companies participating.

12 And then in closing on diversity, we
13 obviously also have to track workforce.
14 You know, this is basically statistical
15 tracking each worker by hour worked out in
16 the field. And for women, the project goal
17 has been 6.9 percent of the hours. And to
18 date, it's been 9.78 percent. For minority
19 15.3 percent as a goal and to date
20 23.52 percent, and for veteran 8 percent
21 target and probably to date 10.2 percent.

22 So this is one that obviously we
23 monitor basically daily. When you have so
24 many trades, so many different companies

1 bringing different folks to the site every
2 single day and sometime you look good one
3 day and then a certain scope ends and the
4 dry wallers go home and the mill workers
5 come in, you can see a quick change, so we
6 try to monitor that.

7 COMMISSIONER MACDONALD: Brian, do
8 you track the geographical areas where the
9 workers come from?

10 COMMISSIONER STEBBINS: Down on the
11 bottom there.

12 COMMISSIONER MACDONALD: You mean in
13 the notes?

14 MR. PACKER: Yes, we do. As part of
15 the tracking we do for SEIGMA, we end up
16 getting ZIP code information through
17 certain payroll data. And, so, we're able
18 to generally run where do certain workers
19 come from. And while it's not a reporting
20 requirement, we do track it and
21 approximately 30 percent of the hours work
22 right now are from Springfield or
23 surrounding communities and then 59 percent
24 are from Western Mass. And, you know,

1 staff that does surprise me in a positive
2 way, you know, over 81 percent of the hours
3 worked on this project are out of
4 Massachusetts residents.

5 COMMISSIONER STEBBINS: That's great
6 considering how close you are to
7 Connecticut.

8 MR. PACKER: We're close to the
9 border. You have the unions generally over
10 the years for this region have been more
11 nomadic. They are covering areas of
12 Springfield and New York and Connecticut
13 and Rhode Island. And so, you know, to
14 have that kind of draw from Massachusetts
15 for where Springfield is located was
16 surprising.

17 And then we have just a few shots
18 here a little more recent on the site kind
19 of looking out here on the right from that
20 main entry, you can start seeing that entry
21 oval take place, take shape I should say.
22 Here on the -- up in the convention area,
23 you can see the octagon shape for the dome
24 on the right-hand side. That's the

1 historic dome out of 73 State that we
2 restored and re-installed in the convention
3 center area. You see the scaffolding and
4 the cinema area is now fully wrapped with
5 the scaffolding and green board going up in
6 the areas that were previously blank.
7 Again, all pushed to get ready for windows,
8 to get waterproof, water tight.

9 Here is the upper connection to 73
10 State finished off. This will be in the
11 back of house, support areas. And just
12 recently here two weekends ago on the
13 bottom right Union/Chandler, that skeleton
14 that we had of steel that supported that is
15 gone.

16 CHAIRMAN CROSBY: It's gone, oh
17 really, wow.

18 MR. PACKER: So we still have some
19 facade renovations to do and some other
20 things, but the majority of that structure
21 work, which really was a lot of back and
22 forth is complete. And you'll see the
23 lower row of windows if you look back in an
24 old photo and we will do a comparison the

1 next time you're here. The lower row of
2 windows are now reworked. They were
3 demolished at one time and opened and there
4 were big, double windows that weren't
5 historically correct and they had awnings
6 on them, so that bottom floor is now
7 restored and will be part of the hotel
8 rooms.

9 CHAIRMAN CROSBY: That side by side
10 would be cool to see.

11 MR. PACKER: Yes, so, a lot of work
12 there.

13 COMMISSIONER ZUNIGA: Brian, for you
14 to get those windows on the left, that's
15 going to be back of house? That's a quite
16 a space.

17 MR. PACKER: Yes, that's back of
18 house upstairs. Downstairs, though, that's
19 the marketplace, so yes.

20 COMMISSIONER ZUNIGA: Those windows
21 are beautiful.

22 COMMISSIONER MACDONALD: That's
23 where Alex is going to have his office,
24 right?

1 MR. DIXON: Nice plush one, yes.

2 MR. PACKER: So with that, if there
3 aren't any further questions for me, I'll
4 turn it over to Alex.

5 COMMISSIONER MACDONALD: Very
6 impressive.

7 MR. DIXON: Good morning,
8 Commissioners. I'll be pretty brief. Look
9 forward to a robust update when you're out
10 to see us next month. But the big
11 milestones for us are really building out
12 the rest of our executive team. So those
13 members of the team who report to Courtney
14 and I, many of them will start after Labor
15 Day. And, so, we are steadfast at work at
16 submitting our payment school applications
17 so that we can get that ready.

18 Once Brian spoke about the 95 State
19 Street, one of the first things that will
20 occupy that building is our gaming school,
21 and we're working with the community
22 colleges and we will be back as well to
23 kind of provide an update on that process
24 as well.

1 In terms of a turnover, it is unique
2 having gone through this process before.
3 Brian did a phenomenal job of getting some
4 of these back of house spaces up and early,
5 which provides a nice, easy transition to
6 ongoing operations so that we're not moving
7 in at the same time, the kids are showing
8 up for summer camp is the best way to
9 describe it at the same time. So, we can
10 really get prepared to make sure that we
11 have a nice on-boarding process.

12 And then separately, you know, we
13 recently took over responsibility for the
14 MassMutual Center as of July. So that was
15 a great opportunity, and come Monday we
16 have got WWE wrestling in-house. So if
17 you're in town, feel free to stop by and
18 see us there.

19 COMMISSIONER STEBBINS: When's that?

20 MR. DIXON: Monday, 7:30, John Cena,
21 Springfield local is supposed to be in
22 house, so we're excited to welcome great
23 entertainment to you all in Springfield.

24 COMMISSIONER CAMERON: Thank you.

1 CHAIRMAN CROSBY: Who is doing
2 preview of coming milestones? That was it?

3 MR. DIXON: Yes, I think that's it.
4 We have a lot people coming is the biggest
5 one.

6 CHAIRMAN CROSBY: WWE was the big
7 milestone.

8 MR. DIXON: That's a big one. We're
9 excited for it.

10 CHAIRMAN CROSBY: Anything else for
11 MGM?

12 COMMISSIONER CAMERON: Thanks, great
13 presentation.

14 COMMISSIONER STEBBINS: Great
15 presentation.

16 CHAIRMAN CROSBY: Yes, very
17 exciting. Look forward to being out there
18 next month.

19 MR. ZIEMBA: That concludes the
20 report.

21 CHAIRMAN CROSBY: Thank you, John.

22 COMMISSIONER MACDONALD: Thank you.

23 CHAIRMAN CROSBY: We have to make a
24 decision. It's quarter to one. I'd say we

1 probably have a good hour or to report.
2 I'm inclined to take it -- all right. So
3 we're going to take a 30 minute break.
4 It's now 12:45, so we will pick up at 1:15.

5
6 (A recess was taken)

7
8 CHAIRMAN CROSBY: We are ready to
9 reconvene public meeting 223 with Director
10 Griffin.

11 MS. GRIFFIN: Go afternoon, Chairman
12 Crosby, Commissioners.

13 COMMISSIONER CAMERON: Good
14 afternoon.

15 MS. GRIFFIN: First I'd just like to
16 remark how pleased I was at watching the
17 presentations of our licensees and really
18 seeing how seriously they take the
19 diversity and how well they are doing, so I
20 just wanted to take note of that. Both
21 Commissioners Stebbins and Cameron were at
22 Tuesday's Access and Opportunity Committee
23 meeting where even the most ardent critics
24 were singing the praise of our licensees,

1 so I just wanted to note that.

2 COMMISSIONER CAMERON: I took note
3 of that as well the difference between a
4 meeting say last year and this year
5 markedly different with the relationships
6 that have been built and the trust.

7 MS. GRIFFIN: And the trust, yes.
8 But today I'm joined by General Counsel
9 William McAvooy of the Operational Services
10 Division of the Commonwealth. He also
11 serves as director of the Supplier
12 Diversity Office. And to his right is John
13 Fitzpatrick, Director of SDO Programs.
14 Bill is -- oh, and to the far right is my
15 colleague, so sorry, Director of Licensing
16 Paul Connelly. And Bill is here to update
17 the Commission on the Commonwealth's
18 certification program for veteran-owned
19 businesses, including expanded definitions,
20 new certification partners and streamline
21 processes and efficiencies.

22 Additionally, the Commission is
23 being asked to consider relying solely on
24 the Commonwealth's certification system.

1 Before I turn the mic over to Bill, I want
2 to give you background on the Commission's
3 diversity certification definition for
4 veteran business enterprises and how it
5 came to be.

6 So, as you all are aware but for our
7 audience, the gaming law places a priority
8 on ensuring that the new expanded gaming
9 industry was inclusive opening up
10 opportunities during the design,
11 construction and operations of the casino
12 for veterans and the businesses that they
13 own and control amongst other groups.

14 Way back in 2014, you may recall,
15 that Plainridge Park Casino was in the
16 process of setting procurement goals for
17 doing business with veteran-owned
18 businesses. And at that time, they set an
19 aspirational goal of 3 percent. And it was
20 aspirational because at that time, the
21 Commonwealth's service disabled
22 veteran-owned business enterprise program
23 was fairly new. It was established in
24 March of 2013, and there was no formal

1 state program for general veteran-owned
2 businesses.

3 The Commonwealth's service disabled
4 veteran-owned business utilized the federal
5 definition of the vender information pages
6 verification program located at
7 wwwvetbuis.gov. But, unfortunately, in
8 2014 the state system listed only six
9 registered businesses that were service
10 disabled veteran-owned businesses.

11 So at the time, Commissioner
12 Stebbins and I discussed with the
13 Commission the Commission's role in making
14 sure that veteran and service disabled
15 veteran-owned businesses had the
16 opportunity to be suitable suppliers to the
17 Category 1 casinos and the Category 2 slots
18 parlor.

19 As we also moved ahead with
20 organizing our licensing process, we
21 explored how our vender licensing process
22 might be a means of helping to validate the
23 status of the veteran or service disabled
24 veteran-owned business.

1 So in our regulations, 205 CMR
2 135.01, we created a VBE or Veteran
3 Business Enterprise definition. VBE shall
4 have the same meaning as the term, small
5 business concern owned and controlled by
6 veterans as defined by the US Department of
7 Veterans Affairs whose status can be
8 verified by the vender information pages,
9 verification program located at vetbusi.gov
10 or in contract with the Federal Government
11 or by the Division of Licensing of the
12 Massachusetts Gaming Commission.

13 So MGC's Division of Licensing
14 currently verifies veteran business
15 enterprise status for the purposes of
16 casino purchasing only. This is not a
17 portable certification status.

18 However, and Bill will talk a little
19 bit more about this, on November 3, 2015,
20 Governor Baker through an administrative
21 Bulletin 21 announce expanded diversity
22 definitions and certifications. I'm going
23 to turn it over to Bill McAvoy so he can
24 update you on the changes in the state

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program.

MR. MCAVOY: Thank you, Jill. Good afternoon, Chairman Crosby and Commissioners.

COMMISSIONER CAMERON: Good afternoon.

COMMISSIONER MACDONALD: Good afternoon.

COMMISSIONER STEBBINS: Good afternoon.

COMMISSIONER ZUNIGA: Good afternoon.

MR. MCAVOY: My name is Bill McAvoy. I'm actually the Deputy Assistant Secretary and Chief Legal Counsel for the Operational Services Division. And as such, I serve in the capacity as the Executive Director of the Supplier Diversity Office for the Commonwealth.

And I'm here today, as Jill mentioned, to ask the Commission to consider accepting Supplier Diversity Office's definition and our certification approach for Veteran Business Enterprises

1 or VBES. We're very big into acronyms at
2 the Supplier Diversity Office or service
3 veteran-owned business enterprises SVOBES
4 in the operational phase of the casinos.

5 As Jill mentioned in November of
6 2015, Governor Baker issued executive order
7 565, which expanded supplier diversity to
8 also include veteran, disability and
9 LGBT-owned business in addition to the
10 traditional categories of minority and
11 women business enterprises.

12 As a result of this executive order,
13 we researched and developed relationships
14 with other national and regional
15 organizations that certifies certain
16 supplier diversity categories. We also
17 looked internally at our own processes to
18 determine how we could improve the customer
19 experience for those women and minority
20 organizations that we were required by
21 statute to certify. This internal review
22 included a business process redesign of the
23 entire certification intake, investigation
24 approval and tracking process.

1 I provided a handout in your packet
2 of information showing how we streamlined
3 our certification application. It's the
4 two-sided with the column's information
5 showing some of the before and after of our
6 certifications. And this shows, again, how
7 we streamlined the certification, first of
8 all, from 32 pages to 10 pages. We
9 upgraded our online certification tracking
10 system to accept electronic applications
11 and allow for virtual site visits during
12 certain investigations that are from
13 distant locations.

14 These changes made the application
15 process simpler for all applicants. We
16 also scanned all existing paper files in a
17 400 square foot storage room and developed
18 streamline forms for certification
19 investigators in order to expedite the
20 certification investigation. These efforts
21 have resulted in certification
22 investigations being completed within 20 to
23 27 days.

24 We have also heard anecdotally that

1 veteran and service disabled veteran
2 certifications conducted by the US
3 Department of Veteran Affairs have taken up
4 to nine months for some applicants. In
5 response to this, Governor Baker and
6 Lieutenant Governor Polito announced on
7 May 1, 2016 that the Supplier Diversity
8 Office would now certify veteran business
9 enterprises or VBEs. Therefore, veterans
10 can now benefit from the STO's new
11 streamline certification process.

12 During the past year and a half, we
13 have observed that our certification
14 practices are consistent with those of
15 other public and private certifying
16 entities across the country, which includes
17 a determination of four primary
18 certification components.

19 First of all, it's 51 percent
20 ownership. That's one of the requirements
21 that at least 51 percent of the firm is
22 owned by someone that falls into one of the
23 categories, whether it be minority, women
24 or veteran in this situation. And during

1 that investigation process of ownership, we
2 look at articles of organizations, stock
3 ledgers, bylaws and taxes and additional
4 information.

5 We also for veterans look at, as you
6 do internally for Mass. Gaming's
7 certification of veterans, we look at the
8 DD Form 214 in order to determine that, in
9 fact, the owner is a veteran. The second
10 component we look at in addition to
11 ownership is operational and financial
12 control.

13 During that review we look at
14 resumes, professional licensures, bank
15 signature cards, federal taxes, balance
16 sheets and income statements in order to
17 make that determination. We also look at
18 how many years of experience, the current
19 duties of the individuals that are subject
20 to either being minority, women or veteran
21 to look at professional licenses and any
22 outside employment that may take the
23 individual away from their running the day
24 to day operation of the business.

1 The third component we look at is
2 independence, and that's where we want you
3 to determine that there is no ineligible
4 person or firm that the subject firm is
5 relying upon for tools, equipment and
6 space, personnel or finances of the like.

7 And the final component is ongoing,
8 and that's where we will review current
9 invoices in the file, contracts, bids,
10 proposals, office and equipment leases,
11 space leases, rent checks, property tax
12 bills and vehicle registrations in order to
13 determine that the firm is, in fact,
14 ongoing.

15 All of these components are reviewed
16 in order to ensure that the individuals
17 that are involved in the firm, the
18 individuals that are receiving contracts or
19 subcontracts are, in fact, who they say
20 they are and that it's not someone trying
21 to scam the system in order to take part --
22 to receive public or private dollars
23 inappropriately.

24 Today I've been asked to compare and

1 contrast the VBE certification processes
2 utilized by the SDO and Mass. Gaming
3 Commission. Please note that I am
4 generally unfamiliar with Mass. Gaming
5 Commission's VBE certification process and
6 I have heard that it is a very robust and
7 certainly is a good practice.

8 However, I do know that there is in
9 due diligence by Mass. Gaming and the
10 determination of veteran status by their
11 requirement, again, to submit a DD Form
12 214, which is the certificate of release
13 for discharge from active duty. I would
14 offer, though, that the Supplier Diversity
15 Office's experience in determining the
16 other four primary components of
17 certification that I just named; namely,
18 ownership, control, independence and
19 ongoing is where we would add value to
20 Mass. Gaming certification of veterans.

21 It is through those components that
22 fraudulent claims that I just mentioned can
23 be made as well -- as well as someone
24 submitting, for example, a false DD 214

1 Form. And with the risk of stolen vallar,
2 the Commission and all public contracting
3 awarding authorities should be extra
4 diligent to ensure that applicants are, in
5 fact, veterans who own and control the
6 business, which is, in fact, independent
7 and an ongoing entity.

8 So our proposal is that the
9 Commission promulgate changes to your
10 regulations to allow for VBE and SVOBE
11 certifications conducted only by the US
12 Department of Veteran Affairs, as you
13 currently do, and also to rely on the
14 Supplier Diversity Office for our
15 certification of veterans.

16 While the SDO certifies VBEs, again,
17 veteran business enterprises, we do not
18 certify service disabled veteran-owned
19 business enterprises in-house. Instead we
20 rely on the US Business Leadership Network
21 with whom we have executed a 30-year
22 memorandum of understanding for them to
23 certify serviced disabled veteran-owned
24 business enterprises as well as

1 disability-owned business enterprises for
2 zero cost to Massachusetts-based
3 businesses.

4 The rationale for not conducting
5 these certifications in-house is due to the
6 difficulty in assessing what is a
7 disability and the USBLN is a nationally
8 recognized organization for their
9 certifications in this area.

10 I'd also like to point out that
11 while vet buis, as Jill mentioned,
12 certifies small veteran businesses. The
13 Supplier Diversity Office certifies all
14 veteran businesses. We don't put a size
15 limit on veteran businesses. So anyone,
16 whether it's a small business or large,
17 they'll fit within the definition of
18 veterans as long as they prove that
19 criteria that I mentioned.

20 It is also worth noting that VBE
21 certification by the Supplier Diversity
22 Office would also provide added value in
23 that certified veteran business enterprises
24 could benefit from their certification,

1 other bidding opportunities issued by other
2 Commonwealth public and quasi public
3 entities as well as the marketing benefits
4 with private benefits.

5 We also offer trainings on
6 precertification training as well as how to
7 find bidding opportunities and how to
8 navigate the bidding platforms such as
9 COMMBUYS and some of the Secretary of State
10 bulletins for construction.

11 In terms of numbers, as Jill had
12 mentioned, we were not doing too well in
13 terms of numbers for serviced disabled
14 veterans. In fact, at the beginning of
15 fiscal year '16 when I became executive
16 director of the Supplier Diversity Office,
17 we had only 15 service disabled
18 veteran-owned business enterprises. As of
19 this week, we have 121 total veterans,
20 which includes 52 VBEs and 69 service
21 disabled veteran-owned businesses.

22 I would like to thank you for this
23 opportunity to speak with you today, and
24 this concludes my formal presentation and

1 I'm available for any additional questions
2 you might have regarding veteran
3 certification.

4 CHAIRMAN CROSBY: Anybody?

5 COMMISSIONER ZUNIGA: Yes, just a
6 couple or just a small one or maybe a
7 comment. Does the OSD always charge for
8 the certification, Bill?

9 MR. MCAVOY: No, there is no charge
10 for the certification. That was why we
11 were very much focused on ensuring that the
12 agreements that we had with the national
13 organizations for certification for
14 services disabled veteran and
15 disability-owned businesses as well as
16 LGBT-owned business, that those were all
17 free to Massachusetts businesses. So all
18 of our certifications or certifications by
19 us in-house or via certification partners.

20 COMMISSIONER ZUNIGA: And I'm just
21 curios. Does the state certification put
22 the state at odds with the Federal
23 Department of Veteran Affairs?

24 MR. MCAVOY: No, it doesn't put it

1 at odds. It's unknown whether all other
2 states would accept our certification and,
3 certainly, the veteran certification may
4 have a broader appeal to individuals who
5 want to go through the longer process if
6 all states were to accept that and the
7 federal government were to accept that.
8 But our certification is independent from
9 that.

10 COMMISSIONER ZUNIGA: But in order
11 to do a contract with the state, if a
12 business has the federal certification, we
13 would also accept that as well?

14 MR. MCAVOY: Yes, we accept that.
15 We just have a one page just give us your
16 FEIN number and your name and address and
17 that type of information, a couple of
18 questions. That way we will put them into
19 our certification tracking system, and that
20 will get them on our list of certified
21 veterans. So no additional requirements
22 beyond those questions.

23 COMMISSIONER ZUNIGA: One of the
24 things, and maybe this is a comment for

1 later, but you mentioned that you're very
2 robust in these four areas, not just the
3 verification of the status but ownership
4 and control. And as you may know, we also
5 license venders and a key element of that
6 licensing process, which includes some
7 background check, et cetera, is determining
8 and ascertaining whether and who has
9 ownership and control.

10 So in my, you know, from my
11 perspective, I'd love to make sure that
12 those efforts are coordinated that if we
13 accept it, and I think we should, the state
14 certification that we're not leaving our
15 process intact for those people and
16 replicating some of what, you know, we've
17 already done effectively in our own
18 process. We have some regulations to that
19 effect. It might not be, like, really
20 quickly to implement, but it's something
21 that I would really ask us all to consider.

22 MR. MCAVOY: That's a great point.
23 And, actually, we have some experience --
24 and we'd love to be able to discuss that

1 with you further. We've had some
2 experience with that over the past few
3 years. For example, disadvantaged business
4 enterprises, which is a federal program,
5 they are also certified by the
6 Commonwealth, by entities of the
7 Commonwealth. And if someone goes through
8 that process, if then they're seeking
9 minority or women or veteran certification,
10 we rely upon the site visit, investigative
11 report, et cetera, that was submitted for
12 that certification in order to just help
13 them to simply check a few boxes in order
14 to become certified in the other
15 categories.

16 So we have some experience over the
17 past couple of years to try to streamline
18 that process. In addition to those that
19 come in with a new application, clean
20 application, we try to make it easier for
21 those folks, as you said, have already
22 jumped through some hoops and tried to
23 become certified in another way.

24 COMMISSIONER ZUNIGA: Then of course

1 it's easier if you're saying they're in the
2 department but, you know, we just need to
3 continue those relationships intra-agencies
4 so that we are comfortable with your
5 updated form if it becomes updated or our
6 updated form and when it does and so on and
7 so forth.

8 MR. MCAVOY: Absolutely, and we have
9 relationships with Mass. Dot. We went
10 through a memorandum of understanding for
11 those types of agreements where we agreed
12 to provide information to them. They
13 agreed to provide the same information to
14 us. So that's something that if we were to
15 work closely with, we could certainly have
16 that information documented in such a way
17 that we'd agree to do this for you and you
18 agree to do that for us type of thing.

19 MS. GRIFFIN: So, Commissioners,
20 just to clarify, the proposal is that for
21 the operational purchasing period of the
22 casinos that we would potentially rely on
23 the state certification only.

24 COMMISSIONER ZUNIGA: But, again, we

1 would still need to license, you know,
2 venders in a certain threshold. And all
3 I'm saying is, and I see Paul nodding, and
4 I know there's a lot of follow-up, if you
5 will, that we don't duplicate any efforts
6 that have already been done and our
7 emphasis is elsewhere.

8 COMMISSIONER STEBBINS: I think this
9 is a good suggestion, and Jill and Paul and
10 I have had numerous conversations with Bill
11 and John over the last few years before VBE
12 certifications was even raised as an issue
13 as to how we might be able to work better
14 together. You know, to Jill's credit and
15 Paul's credit and Paul's predecessor, we
16 kind of came up with a solution that I
17 don't think any of us saw as a long-term
18 solution as to how we would recognize and
19 how we would let our licensees recognize
20 VBE.

21 So we have already done some
22 outreach to the folks that we've had
23 identified as VBEs. Told them about the
24 certification program. Told them that our

1 certification is or our designation or
2 approval isn't necessarily the seal of
3 approval they need to go and bid on other
4 state projects, and we'll continue to do
5 that, I think, as new names come to us.

6 But to put VBEs on kind of the same
7 recognition level that we already require
8 MBEs and WBEs, I think this would be a
9 valuable step and, hopefully, our licensees
10 and us will know at the end of the day our
11 counts of VBEs are accurate and that VBEs
12 are being helped and not necessarily hurt,
13 to your point, Bill, about stolen vallars,
14 somebody trying to pass themselves off as a
15 VBE. I think this is a great way to kind
16 of solidify that, you know, using this
17 transition period to get everybody on
18 board, I think, is a sound strategy.

19 COMMISSIONER CAMERON: I would
20 agree, and I think the work you have done
21 to streamline is just excellent and
22 streamlining but yet putting in
23 verification steps along the way, looks --
24 I'd be very comfortable with that. I

1 believe, Director Griffin, you're
2 recommending that we take that step?

3 MS. GRIFFIN: Yes, no vote today.
4 Attorney Grossman and I will be back to you
5 with the revised regulations.

6 COMMISSIONER CAMERON: Right. But
7 the process you've gone through to
8 streamline, and it continues to be rigorous
9 but yet business-friendly. That looks
10 excellent, so thank you for coming in and
11 explaining it, and it's a real comfort
12 level to go with this.

13 MR. MCAVOY: Thank you.

14 COMMISSIONER MACDONALD: I have a
15 follow-up question to what Commissioner
16 Cameron was just saying. Mr. McAvoy, on
17 that chart, which I did find very
18 impressive on the streamline state, on the
19 line item site visits and the old practice
20 was in-person site visits for certain
21 business categories which have introduced
22 virtual site visit option. What's a
23 virtual site visit option and how can you
24 have confidence in --

1 MR. MCAVOY: Thank you. That's a
2 great question. So we don't require site
3 visits for all categories. We do require
4 it for construction firms, for individual
5 organizations that maintain inventory or
6 they manufacturer things.

7 So if, for example, we have someone
8 in western Massachusetts and it's during a
9 snowstorm or something like that and we
10 have confidence in their technology, that
11 they have face-time or some type of
12 technology whereby they can hold or have
13 someone filming them in front of their
14 company with the signage behind them, with
15 the trucks behind them showing us their
16 inventory, their business operations, then
17 that's -- we've only done them on a few
18 occasions. But in that situation, we've
19 been able to expedite something that may
20 have taken longer in order to schedule a
21 site visit during a snowy period or that
22 type of thing.

23 The default is always to have
24 in-person site visits, again, for those

1 categories where we require them. But
2 there have been certain situations where
3 there's been enough confidence.

4 And we also have partners throughout
5 the state. So from time to time we may
6 just ask other partners to drop in and
7 ensure, in fact, the business is a
8 legitimate operation. So, again, that was
9 just something that was introduced for
10 those occasions when we just needed it in
11 order to ensure that the business was
12 legitimate.

13 COMMISSIONER MACDONALD: Thank you.

14 COMMISSIONER ZUNIGA: I'm just
15 curios. What do you see most of as you
16 implement some of these new certifications,
17 established businesses that sort of realize
18 that there's an opportunity here to become
19 certified because they qualify or their
20 principal view or can you help me
21 understand how many new businesses perhaps,
22 how many new entrance into the pool out of
23 an opportunity like this certification, is
24 it a very significant disparity?

1 MR. MCAVOY: We are seeing actually
2 all of the above. We're actually -- we've
3 had a much more concerted effort to market
4 all of these opportunities. As you know,
5 we have our traditional minority and women
6 businesses that we've continued to grow a
7 number of certified businesses over the
8 past couple of years. Those numbers
9 have -- you know, you have some folks that
10 won't renew their certification, so you
11 will drop a bit and then you will have some
12 new certifications coming in.

13 Certainly, where we're seeing the
14 biggest amount growth obviously is where we
15 had no certified companies that were
16 disabled-owned businesses, LGBT-owned
17 businesses and veteran businesses where we
18 had only eight and then 15 two years ago,
19 so we've seen some huge growth in those
20 areas.

21 We don't have benchmarks yet, goals
22 for LGBT businesses and disability-owned
23 businesses. But when those are introduced
24 at some point in time, we'll probably see a

1 spike in growth there as well. Because
2 when there's a reason for folks to, you
3 know, they'll incentivize more folks to
4 become certified and incentivize the public
5 entities to be purchasing from them.

6 But where there is a veteran
7 benchmark, we've been doing thanks to a
8 grant actually from the Gaming Commission
9 last year -- we appreciate that -- to our
10 office. We've actually stepped up our
11 efforts to provide more outreach to
12 veterans. John actually was the point
13 person on that. We developed a brochure on
14 veterans. We had been making relationships
15 with different veteran outreach
16 organizations throughout the state.

17 So, that's where we've seen some
18 growth in terms of some of the spend as
19 well as the number of folks becoming
20 certified. So, you know, when you
21 introduce a new category, you obviously
22 have a lot of folks that show up pretty
23 quickly, and then it kind of slows down a
24 bit and you have to continue marketing

1 outreach efforts in order to ensure that
2 continues.

3 But there's also -- what we've also
4 done is tried to reach out to folks that
5 we're currently doing business with that we
6 don't know if they're certified and we'll
7 find out, for example, someone in OSD
8 statewide contract that we've been doing
9 business with for multiple years that
10 didn't rely on minority or women status to
11 bid on their contract, we're defining now
12 that some of these folks are, in fact,
13 qualified as minority, women, veteran or
14 one of the other categories, and we're now
15 able to capture their spend within our
16 spend as well.

17 So it's really all, you know, an all
18 encompassing approach to define where we're
19 currently doing business or where we could
20 be doing business and trying to expand the
21 outreach as much as possible.

22 COMMISSIONER ZUNIGA: That's great.
23 Thank you for that. But a long track
24 record does not necessarily require for the

1 certification. If I remember in some of
2 the forms, you could either have as a small
3 business half a year, let's say, or a
4 partial year of operations and you still in
5 that scenario providing that everything
6 else matches up but that entity can also be
7 certified; is that a fair statement?

8 MR. MCAVOY: That's correct. We
9 also have what's called a small business
10 purchasing program that is verified through
11 our COMMBUYS system. That's the bidding
12 system, and we verify through the
13 Department of Revenue the folks qualified
14 for that program. For that you have to be
15 a Massachusetts-based business in business
16 at least one year. So for that program, we
17 do have a one year requirement.

18 The certification -- you know, a lot
19 of veterans are returning from, you know,
20 war and active duty and we are really not
21 requiring folks to be in business for 3 or
22 4 or 5 or 7 years. It's most times on
23 contracts that folks put those requirements
24 in for experience. So if you're looking

1 for someone to provide this type of IT
2 solution or something like that, you want
3 to make sure that they know what they are
4 doing, so you may say you have to have X
5 amount of years of experience. But for
6 certification, you know, we want to make
7 sure we're not providing -- putting a
8 barrier in front of folks to becoming
9 certified, and then they can -- that's a
10 step toward them then, you know --

11 COMMISSIONER ZUNIGA: Proving their
12 experience.

13 MR. MCAVOY: Proving their
14 experience, exactly, yes.

15 CHAIRMAN CROSBY: When somebody
16 calls you up and says I want to apply to be
17 a veterans-owned business, what happens
18 exactly; who takes that call; what happens?

19 MR. MCAVOY: So the first step is we
20 will tell them about what we will have a
21 precertification workshop, and we like
22 individuals to go to these precertification
23 workshops. They are in-person.

24 CHAIRMAN CROSBY: Who is actually

1 talking to them now if they call up?

2 MR. MCAVOY: They can actually find
3 the information from our website. They can
4 talk to John. They can call to our intake
5 person. We have someone who is a dedicated
6 intake person taking -- everything has been
7 in the past six months. We're accepting
8 electronic applications. Sometimes you'll
9 get some paper information or this
10 individual will go in the system and
11 enabling those electronic applications, et
12 cetera.

13 So whether it's e-mail, whether it's
14 an application coming into the system or
15 whether it's someone calling or coming to
16 one of our many events that we have
17 throughout the year, we're having
18 discussions with these individuals,
19 providing them with brochures and
20 information. Again, that first step is to
21 go to the precertification workshop. At
22 that workshop we explain here's what you
23 really need. We'll go through those four
24 components.

1 So if you, for example, have someone
2 else you're relying upon for your trucks
3 and you're this and you're that, you're
4 really not independent, so you may not
5 qualify for certification. So we'll go
6 through all of those steps during that
7 training and explain to folks how to apply.
8 And then at the end of that training, we
9 actually have connecting your business to
10 the Commonwealth.

11 Because one of the biggest steps is
12 folks become certified. They don't get
13 business ever as a certified entity. They
14 have to know that they have to take a next
15 step, which is to bid or try to match
16 themselves up with a prime bidder that they
17 then can be a subcontractor to.

18 So during that precertification
19 training, we have that component, again, of
20 matching your business to the Commonwealth.
21 And then we'll talk about how to utilize
22 the COMMBUYS system, which is called combus
23 (phonetic), how to use the goods and
24 services bulletin, which is central

1 register, all those types of opportunities.
2 And to tell folks if you're construction,
3 you want to talk to folks at Mass. Gaming
4 or you want to talk to folks at DECAM or
5 MassDOT, et cetera, human goods and
6 services.

7 So it goes over the whole gambit of
8 really helping folks to navigate the many
9 steps of the procurement process to try to
10 make not just the certification process
11 simpler, but also the next step simpler.
12 We also have many other trainings that are
13 available beyond that, but that's the
14 required initial training.

15 After that initial training, we'll
16 then e-mail those individuals and send them
17 a link to our online application and they
18 will go into that system, create a profile.
19 They'll download the application. This
20 document says from 32 pages down to 10.
21 Now that we have an online system, it's
22 actually a seven-page document because
23 certain information is being typed into the
24 profile as they're creating it.

1 They only have to upload now a
2 seven-page application into the system that
3 then goes to that individual, the intake
4 person. It's assigned to an investigator.
5 The investigator will review the documents
6 that are there, determine if anything else
7 is missing. Schedule a site visit for
8 those categories that requires a site
9 visit. Or for those that don't, they will
10 have a telephone interview, and they'll
11 then review all the documents and conduct
12 an investigation.

13 We have an investigation --
14 streamline investigation report form that
15 we utilize for folks who will determine
16 what documents they looked at in order to
17 reach those conclusions about those four
18 categories. And that's how they'll come to
19 the determination whether someone qualifies
20 or does not qualify. Beyond that, there's
21 appeals and all those other options if
22 someone doesn't qualify.

23 COMMISSIONER ZUNIGA: Sounds a lot
24 like our LMS.

1 CHAIRMAN CROSBY: So if you call
2 720-3357, do you get a machine or a person?

3 MR. MCAVOY: You'll get a person.

4 CHAIRMAN CROSBY: You get a person,
5 okay. So a person calls in can ask --

6 MR. MCAVOY: Is that your phone
7 number? I'm not sure if it's John's.

8 CHAIRMAN CROSBY: It's the number on
9 the front of this, 720-3357. Because if
10 you get a machine, which lots of places do
11 now, then I'm wondering whether the menu
12 gets you to who you need to go.

13 MR. MCAVOY: That's directly to an
14 individual's desk.

15 CHAIRMAN CROSBY: That's to an
16 individual. I am talking about the phones
17 specifically. So this comes to some SDO
18 person who answers as a human being
19 answers.

20 MR. MCAVOY: Yes. OSD, the central
21 line for OSD, we don't have a receptionist
22 at OSD anymore, but we used to send calls
23 to different individuals. SDO does have a
24 dedicated person taking calls.

1 CHAIRMAN CROSBY: I just went
2 through this as if I were trying to -- I
3 mean, obviously for a lot of people this
4 would be easy but for others it would not,
5 new businesses particularly,
6 unsophisticated people used to be floor
7 workers and wanted cleaners and finishers
8 and now want to start their own business, I
9 don't think it is so easy. On page two, I
10 assume this form does not go to disability
11 or LGBTs, they use a different form?

12 MR. MCAVOY: No. They actually work
13 directly with those other national
14 organizations, yes.

15 CHAIRMAN CROSBY: Both of them do,
16 okay. I'm just going to give you a bunch
17 of random thoughts. If it's constructive,
18 great; if not, forget about them. It says
19 on page two, complete the state
20 application. Somewhere I would say if you
21 have any questions, call blank. Because
22 lots of times you have questions and you
23 don't know who to call. You don't know how
24 to get the answer, particularly obviously

1 the less sophisticated you are.

2 Footnote one on page two says, you
3 must attend a precertification workshop but
4 it doesn't say how to find out where they
5 are or, you know, it does say if you want
6 to watch a webcast it says where to go, but
7 it doesn't say how do you find out where a
8 precertification web workshop would be.

9 Footnote seven says, for 51 percent
10 minority and other women ownership for
11 everybody has to provide a notarized out of
12 station. That does not apply to VBEs?

13 MR. MCAVOY: Which one is that? I'm
14 sorry.

15 CHAIRMAN CROSBY: Footnote seven on
16 page two, note seven on page two.

17 MR. MCAVOY: Yes. This form has
18 been updated, so I'll check to make sure
19 that that would apply to veterans.

20 CHAIRMAN CROSBY: So this isn't the
21 current form?

22 MR. MCAVOY: No, that's what I was
23 saying. Since this has gone from ten down
24 to seven, we have an upgraded form that I

1 can -- we're actually in the process this
2 week of discussing and editing that form.
3 If you would like, I can provide it to you.

4 CHAIRMAN CROSBY: In that case, I'll
5 go ahead and give you my other thoughts.
6 Yes, I would like to see that. Because the
7 devil is in the details. This is what is
8 really interesting. This points out that
9 this is subject to, in effect, to our
10 public records laws. But there is some
11 information in these forms, like percent of
12 ownership, like purchase price, like sales
13 that I would think people would not want
14 necessarily made public.

15 Is that process clear if somebody
16 requests, are you -- what's the process for
17 protect and what might be
18 considered confidential?

19 MR. MCAVOY: So we follow the
20 public records law for redacting any
21 information. For example, FDIN number and
22 that type of information is redacted. I
23 don't think percentage of ownership is
24 redacted. It's actually, you know,

1 anything what's called personal
2 identifiable information, PII, a name
3 connected to either a social security
4 number, a name connected to a bank account,
5 all of that type of information that is
6 included in this application would be
7 redacted before it was provided to anyone
8 externally.

9 CHAIRMAN CROSBY: I would think that
10 there is other stuff, you know, like the
11 purchase price for how much you had to pay
12 for your ownership and things like that.
13 There is no public service served by that.

14 MR. MCAVOY: Yes. There is an
15 exemption into the public records laws that
16 says any -- during the bidding process but
17 it does say if what you're applying for is
18 subject to a contractor bidding
19 opportunity, long-term folks can now claim,
20 you know, confidentiality of
21 business-related information if they're
22 attempting to get a contract. So exemption
23 has a limitation, short-term limitation but
24 then it really says if you're looking to

1 win a contract, basically the exemption
2 goes out the window.

3 CHAIRMAN CROSBY: So you're clearly
4 on top of that stuff, so that's what I was
5 getting at.

6 MR. MCAVOY: I can't tell you enough
7 that I really appreciate all of this
8 feedback. This will make our process even
9 better.

10 CHAIRMAN CROSBY: Well, on the
11 acquired documents list, it just seemed
12 counterintuitive. You have to pick your
13 category first and then figure out which
14 ones to qualify, so it just reads
15 backwards. So under that form, I would put
16 where you pick sole proprietorship,
17 partnership, LLC, I'd put that first so you
18 know where --

19 MR. MCAVOY: On the left side?

20 CHAIRMAN CROSBY: On the left-hand
21 side, right. And then that tells you which
22 ones you need to worry about, but here you
23 worry about the topic first and then figure
24 out -- anyway, you get the point.

1 MR. MCAVOY: That's a great
2 suggestion. Thank you.

3 CHAIRMAN CROSBY: Well, this was
4 other information that seemed to me might
5 be private, but you're on top of that. I
6 think that was it.

7 COMMISSIONER ZUNIGA: Just to that
8 end --

9 CHAIRMAN CROSBY: Excuse me,
10 Enrique. On page five of the one I have,
11 it says fiscal information and then it
12 says, is it if you have been in business
13 for less than a year provide the current
14 reporting period, blah, blah, blah, I'm not
15 actually sure -- I think that means --
16 well, I'm not sure what this is asking for.
17 Is it asking for prior year and if you're
18 not a whole year, just whatever the current
19 reporting period is? I don't think that's
20 clear what it's asking for.

21 MR. MCAVOY: That could be clearer.
22 That's a good point.

23 CHAIRMAN CROSBY: You see what I
24 mean? I couldn't figure out what I would

1 put down here. I assume it's asking for
2 the most recent fiscal year unless you only
3 have a partial year in which place you
4 would put the partial year, but that's not
5 what it says.

6 MR. MCAVOY: That left-hand column
7 should perhaps be year or partial, you
8 know, define --

9 CHAIRMAN CROSBY: Prior year or
10 immediate partial, something like that,
11 yes. Sorry, go ahead.

12 COMMISSIONER ZUNIGA: Well, I was
13 just going to ask kind of a larger -- I am
14 intrigued by that workshop that you
15 mentioned, Bill.

16 CHAIRMAN CROSBY: The
17 precertification.

18 COMMISSIONER ZUNIGA: The
19 precertification workshop. You know, do
20 you normally get people asking these sort
21 of questions that are more personal as in,
22 you know, I don't know if I'm a sole
23 proprietorship or an S-Corporation, here is
24 what I do; is there that kind of technical

1 assistance or do you rely on others?

2 MR. MCAVOY: There is actually, and
3 it is group focused. Some of those groups
4 will be 40, 50. Some of them will be 20,
5 but the individual stays afterwards. We
6 also get calls after those workshops. John
7 and other folks will get calls to say, when
8 you said this, do you mean that type of
9 thing? Just to show the extent of the
10 service level.

11 I know because, Commissioner, you
12 and I were at an event in Lynn several
13 months ago. A year ago there was a
14 separate event in Lynn that we spoke at
15 that was coordinated by the Gaming
16 Commission. And from that, that chamber
17 actually asked if we would put on
18 specialized training for Spanish speaking
19 individuals.

20 So we actually had three or four
21 staff, I think, it was four staff that
22 speaks Spanish that actually, one, they
23 gave their presentation in English. That
24 was their request and were there to answer

1 questions, quite a few of the staff --
2 excuse me, quite a few of the applicants
3 that were in, you know, not as good at
4 speaking English as they were in Spanish,
5 and it was just an amazing collaboration
6 just to see folks being able to help at
7 that level in terms of helping them to
8 become certified.

9 COMMISSIONER ZUNIGA: And remind me,
10 you were one of those staff that speaks
11 Spanish; isn't that correct?

12 MR. MCAVOY: Un poquito. Spoke a
13 little bit of Spanish, but I didn't
14 continue as well as I should have.

15 CHAIRMAN CROSBY: Anybody else? I
16 think we are predisposed. Is anybody
17 opposed to this idea, to this suggestion?

18 COMMISSIONER ZUNIGA: No. I think
19 it would be great to continue to coordinate
20 a trend towards streamlining and seem to
21 find as long as we continue, you know, very
22 fine what we need to do with this.

23 CHAIRMAN CROSBY: And credit to the
24 Governor that he extended the reach of the

1 program.

2 COMMISSIONER CAMERON: Good job.

3 CHAIRMAN CROSBY: Thank you. Nice
4 to see you again, Bill.

5 MR. MCAVOY: You too, thanks.

6 MS. GRIFFIN: So don't go anywhere.

7 So next on the agenda, we have just an
8 update on the Portuguese business
9 enterprise issue. If you remember, in June
10 I was here updating you an a policy change
11 that dramatically impacted the results of
12 our licensee's diversity goals, and that
13 was that Portuguese business enterprises,
14 Portuguese-owned businesses were no longer
15 considered MBEs or minority business
16 enterprises as of April.

17 And if you'll remember, in MGM
18 Springfield's case, that meant that 8.8
19 million in commitments that cannot be
20 counted as minority-owned business and in
21 Wynn Boston Harbor's case 118 million
22 cannot be counted.

23 CHAIRMAN CROSBY: 118 million?

24 MS. GRIFFIN: Right.

1 CHAIRMAN CROSBY: Is that in the
2 number that we saw?

3 MS. GRIFFIN: No. So the reporting
4 that is presented to the Commission, as of
5 April, they do not include the
6 Portuguese-owned businesses in the reports.
7 So I wanted Bill to be able to give us an
8 update and also make a recommendation on
9 where we go forward, so take it away.

10 MR. MCAVOY: Thank you, Jill. Thank
11 you, Commissioners, again for allowing me
12 to speak today. Unfortunately, for this --
13 I explained to Jill -- unfortunately, for
14 this particular topic, given that there is
15 a pending lawsuit, I actually -- pending
16 litigation, I can just basically state the
17 facts that are within the letter and I have
18 to be careful in terms of stating anything
19 beyond that.

20 But as Jill mentioned, in April of
21 2016, there was a court order that required
22 that the Supplier Diversity Office remove
23 businesses owned by individuals of
24 Portuguese origin from the definition of

1 MBE, and a directive was sent out on
2 April 21, 2016 to all public awarding
3 authorities to that effect.

4 And since that time, we have just
5 been operating under that same, you know,
6 approach. And if folks come in, you know,
7 with questions about it, we'll answer them
8 in a one-on-one situation.

9 So what happened at that time, there
10 were 102 or so formally minority business
11 enterprises that were owned, again, by
12 individuals of Portuguese origin that were
13 changed to PBEs, a new category of
14 Portuguese business enterprises.

15 And the way that our regulations are
16 written, it states: That all persons
17 having Portuguese origin shall be included
18 within the definition of minority only if
19 specifically set forth in programs funded
20 by state transportation bond statutes,
21 which includes such persons as eligible
22 participants.

23 So as a result, that would then take
24 them out of the definition of minority for

1 the Gaming Commission and for quite a few
2 other agencies and entities. So, again,
3 nothing has changed since that April 21,
4 2016 directive.

5 CHAIRMAN CROSBY: Questions?

6 COMMISSIONER CAMERON: You mentioned
7 litigation. Is someone challenging that
8 original decision?

9 MR. MCAVOY: Yes. So someone -- a
10 firm has sued the Commonwealth
11 Administration and Finance and the
12 Secretary Commission of Administrative
13 Finance and the Supplier Diversity Office
14 and me as the executive director of the
15 Supplier Diversity Office in name, so
16 that's why I'm obviously limited to what I
17 can say. Again, they challenged that
18 decision of a prior executive director.

19 CHAIRMAN CROSBY: So does the
20 implication -- does that mean somebody who
21 is in the United States from Brazil, for
22 example, and whose roots are Portuguese
23 that they would not be able to be an MBE
24 or, yes, MBE whereas somebody from

1 Venezuela whose roots are from Spain
2 wouldn't be able to be an MBE?

3 MR. MCAVOY: That's the implication,
4 yes.

5 CHAIRMAN CROSBY: Okay. Again, just
6 as a matter of fact, what was the logic,
7 what is the logic behind making a
8 distinction between people of Portuguese
9 heritage and people of Spanish heritage?

10 COMMISSIONER MACDONALD: I think I
11 should advise you as your attorney not to
12 answer that.

13 MR. BEDROSIAN: Mr. Chairman, I
14 think I can jump in and I know very
15 superficial. My memory is hearing about
16 this in order to be designated a minority
17 group, there is a certain process or a
18 determination that has to be made. My,
19 again, superficial understanding is there
20 was a challenge maybe to the determination
21 of the Portuguese heritage and the way it
22 was done. I don't know if that's right. I
23 think it was a preliminary injunction?

24 MR. MCAVOY: Yes.

1 MR. BEDROSIAN: So, I think, the
2 case is still pending, so there is not a
3 final determinate outcome. It certainly
4 could change in the course of litigation.
5 There is a threshold, as Commissioner
6 Macdonald noted, there's a threshold when
7 you're able to get a preliminary
8 determination that's a fairly high
9 reasonable likelihood of success, so we
10 don't know what the outcome will be. But
11 it sounds like there's still some final
12 determinate outcome to be had.

13 COMMISSIONER ZUNIGA: But is it fair
14 to say at least it's conceptually as
15 somebody decided that that group is no
16 longer a disadvantage; is that a fair
17 statement?

18 MR. BEDROSIAN: I don't know if it
19 was -- yes. I don't know if it was --

20 MS. BLUE: Yes. I don't think
21 anyone has decided that. I think the court
22 has just issued an injunction against
23 considering them as one. There has been no
24 final decision. I think the best you could

1 probably say is that at some point someone
2 did decide that they were a disadvantaged
3 group and how they made that decision I
4 don't really understand completely.

5 COMMISSIONER ZUNIGA: And that's
6 what's being challenged.

7 MS. BLUE: So that's what's being
8 challenged.

9 MS. GRIFFIN: So, Commissioners,
10 since this is still in limbo, I'm going to
11 recommend to our licensees that they
12 continue to collect and record their
13 contracts with Portuguese business
14 enterprises. As a separate footnote in
15 their reports, they can note their
16 Portuguese business enterprise commitments
17 not included in the MBE total, however.

18 COMMISSIONER STEBBINS: I think that
19 makes sense.

20 MS. GRIFFIN: And we'll monitor --

21 COMMISSIONER ZUNIGA: The
22 developments.

23 MS. GRIFFIN: The developments.

24 COMMISSIONER MACDONALD: I think

1 that's a very good decision.

2 MS. GRIFFIN: I agree.

3 CHAIRMAN CROSBY: It's really
4 interesting. I mean, as the world becomes
5 more homogenized, who is what is
6 complicated, who is African-American, who
7 is white, who is Hispanic, who is
8 Portuguese and then all of a sudden it
9 becomes incredibly complicated never mind
10 the categories keep proliferating, so it's
11 generally complicated. But at a
12 superficial at least level making a
13 distinction between people of Brazilian and
14 Portuguese heritage and people of
15 Venezuelan and Spanish heritage doesn't
16 make any sense but anyway.

17 COMMISSIONER STEBBINS: It's just an
18 interesting question, because our licensees
19 all started out in construction with one
20 frame of mind and strategy in place and
21 it's kind of been disrupted midway through
22 that process. It's good to have them
23 continue to keep track of that data and
24 keep that information and hopefully this

1 gets resolved at some point.

2 MR. MCAVOY: And, again, it should
3 be pointed out that in the letter it does
4 state that any contracts that were -- for
5 any bid submitted by a prime bidder prior
6 to April 12, 2016, they can be
7 recognized -- continued to be recognized as
8 an MBE. It's anything after that date, any
9 contract that is signed and submitted after
10 that date where they cannot be.

11 MS. GRIFFIN: And to Commissioner
12 Stebbins' point when our licensees were
13 putting together their goals, there was one
14 set of realities that has since changed.

15 CHAIRMAN CROSBY: But even
16 notwithstanding that, they're doing very
17 well against their goals and exceeding them
18 by a mile. That's good.

19 MS. GRIFFIN: They are doing well.

20 CHAIRMAN CROSBY: Anything else from
21 Director Griffin? Thank you.

22 COMMISSIONER ZUNIGA: Thanks for
23 that update.

24 COMMISSIONER CAMERON: Thank you.

1 MS. GRIFFIN: Thank you so much.

2 COMMISSIONER MACDONALD: You're
3 welcome.

4 CHAIRMAN CROSBY: I think next up is
5 Deputy Director Lillios.

6 COMMISSIONER MACDONALD: I think he
7 wants you to proceed.

8 MS. LILLIOS: Good afternoon,
9 Members of the Commission. On the agenda
10 are the results of the suitability
11 investigation for Mr. John Forelli. He is
12 a qualifier for MGM Springfield, and this
13 investigation was conducted by a sergeant
14 recently promoted, Sergeant Michael Banks
15 from the Mass. State Police and Financial
16 Investigator Paul Eldridge.

17 Mr. Forelli is the regional vice
18 president of information technology at MGM
19 Resorts Regional Operations. He has been
20 in that position since October of 2016.
21 MGM Resorts Regional Operations was
22 established in 2014 to coordinate and
23 provide management services to MGM's
24 casinos in Maryland, Michigan, Mississippi

1 and Massachusetts.

2 In addition to his position at MGM
3 Regional Operations, Mr. Forelli is also
4 the vice president of informational
5 technology at the Borgata in New Jersey, a
6 property which MGM acquired in 2016. As a
7 result of his present position, Mr. Forelli
8 as the at Regional Operations, he was
9 designated to be an individual qualifier
10 for MGM Springfield. He submitted all of
11 the required forms to the Commission, and
12 his submission was deemed complete in
13 January of this year.

14 The investigators conducted the
15 rigorous background review required by
16 Chapter 23K and by the regulations for
17 qualifiers, including criminal, history,
18 educational background, directorships,
19 business interest, civil litigation,
20 property ownership, references, financial
21 suitability and media coverage.

22 Mr. Forelli was interviewed in
23 person by the IEB as part of his background
24 review. Mr. Forelli attended Lafayette

1 College in Pennsylvania where he obtained a
2 bachelor's degree in mathematics in 1985.
3 He subsequently attend the University of
4 Rhode Island where he obtained a master's
5 in business administration.

6 He went to work as the director of
7 IT at Foxwoods from 1993 to 2003. From
8 there he went in 2003 to become the head of
9 IT at the Borgata and is now the VP of IT
10 there. After that, as I mentioned, in
11 October of 2016, he became the VP of
12 information technology for MGM Resorts
13 Regional Office.

14 He has been licensed for
15 gaming-related in activity in New Jersey
16 and in Rhode Island. He was licensed in
17 Michigan in March of this year. He has a
18 pending application in Maryland. Each of
19 those four jurisdictions was queried by our
20 investigators and no derogatory information
21 was reported. The financial responsibility
22 and suitability aspect of the investigation
23 was completed with positive results.

24 At the conclusion of the

1 investigation, the investigators determined
2 that there are no significant issues
3 relative to his application for
4 qualification and that he has demonstrated
5 his suitability by clear and convincing
6 evidence, so the IEB is recommending that
7 the Commission find him suitable as a
8 qualifier for MGM Springfield.

9 COMMISSIONER CAMERON: In reading
10 the investigation not only were there no
11 significant issues, there were no issues at
12 all. Very clean application -- rather
13 investigation report. So, certainly, I
14 would agree with the recommendation to find
15 Mr. Forelli as suitable.

16 CHAIRMAN CROSBY: Anybody else? Do
17 we have a motion?

18 COMMISSIONER CAMERON: I move that
19 we find Mr. Forelli suitable for licensure.

20 CHAIRMAN CROSBY: Second?

21 COMMISSIONER MACDONALD: Second.

22 CHAIRMAN CROSBY: Further
23 discussion? All in favor?

24 COMMISSIONER CAMERON: Aye.

1 COMMISSIONER MACDONALD: Aye.

2 COMMISSIONER STEBBINS: Aye.

3 COMMISSIONER ZUNIGA: Aye.

4 CHAIRMAN CROSBY: Opposed? The ayes
5 have in unanimously.

6 MS. LILLIOS: Thank you.

7 CHAIRMAN CROSBY: Assistant General
8 Counsel Grossman.

9 MR. GROSSMAN: Good afternoon,
10 Mr. Chairman and Commissioners. The next
11 item on the agenda pertains to the
12 suitability requirements for outside
13 directors of our gaming entities. As you
14 recall, the issue was brought before you
15 some time ago where a query was raised as
16 to what the requirements were necessarily
17 for the suitability of these outside
18 directors, and it was represented that it
19 was at times challenging to find certain
20 qualified candidates to serve as a member
21 of the board of directors given the
22 suitability process attending to the gaming
23 review process.

24 We learned during that process that

1 the State of Pennsylvania, for example,
2 exempts the outside directors from
3 publically traded corporations who argue to
4 the chair of the board of directors or a
5 member of the audit committee. We have
6 learned that the state of New Jersey had
7 similar provisions, though they aren't
8 necessarily exercised on a regular basis.
9 And that in the State of Nevada, they don't
10 necessarily engage in any licensing process
11 for members of the board of directors of
12 the gaming operators.

13 So the threshold question for us was
14 whether it would be possible to adopt the
15 requirements similar to that Pennsylvania
16 or others where we exempt or waive the
17 requirement that members of the board of
18 directors be designated as suitable.

19 Before we do that, and I'm happy to
20 get into as much or as little detail as
21 helpful here but just to set the stage, I
22 think it's important just to remember what
23 the corporate structures are of our
24 licensees. We of course have three

1 licensees, and they are all very similar in
2 their corporate structures.

3 The gaming licenses themselves here
4 in Massachusetts are held by LLCs, which
5 were formed for the sole purpose of holding
6 the gaming licenses and operating the
7 casinos in Massachusetts. There are
8 essentially with some minor tweaks wholly
9 owned by entities that are publically
10 traded corporations.

11 In our case, that's Wynn Resorts
12 Limited, which is traded on NASDAQ as is
13 Penn National Gaming, which owns Plainville
14 Gaming and Redevelopment and then Blue Tarp
15 Redevelopment in Springfield, which is a
16 wholly -- almost wholly owned subsidiary of
17 MGM Resorts International.

18 LLCs of course themselves are just
19 passed through entities. They don't have
20 any members or boards of director or
21 anything of the sort. But, of course, the
22 parent or holding companies do have boards
23 of directors, and historically here we have
24 required that all the members of the board

1 of directors be licensed or be deemed
2 suitable as qualifiers, if you will.

3 So our focus really is on those
4 individuals and whether any new members of
5 the boards of directors or the corporate
6 parents have to go through the suitability
7 process.

8 When it comes down to the law, I
9 took a look at Chapter 23K of course, which
10 is our source and Section 13 and 14 govern
11 this particular issue, and my ultimate
12 conclusion is that there is a provision in
13 Section 14. It's 14H specifically that
14 requires that members of the board of
15 directors of corporate holding companies
16 like ours here be deemed suitable under
17 Sections 12 and 16 of Chapter 23K, which
18 according to my analysis would preclude the
19 outright waiver of subjecting those folks
20 to a background check.

21 Of course the gaming licensee
22 themselves have to be deemed suitable, and
23 the corporate parent or holding company
24 itself has to be deemed suitable as do

1 other entities involved with that. But
2 when you focus solely on the members of the
3 board of directors, they do have to be
4 deemed suitable as well.

5 There are some interesting parts of
6 the law that people have focused on as we
7 have gone through this process,
8 specifically in Section 14B, Chapter 23K
9 which actually makes reference to officers
10 and directors of corporations other than
11 publically traded corporations. The
12 implication there is that there is
13 flexibility for the Commission to not
14 require that members of the board of
15 directors be designated as suitable.

16 I would suggest to you, however,
17 that that provision doesn't apply in our
18 case as the applicants for the gaming
19 licenses here were not corporate -- we are
20 not corporations. They were LLCs. And in
21 our case since the LLCs applied for the
22 license, that specific language in 14B is
23 inapplicable.

24 With that said, it certainly

1 provides some incite and some texture in
2 connection with the way that other states
3 handle the issue as to how the industry and
4 regulators view the necessity to
5 investigate members of the board of
6 directors for these types of organizations.

7 So that's the general background,
8 and I think legal review of this particular
9 issue. We can certainly get into, if it's
10 helpful, what the law actually says in more
11 detail. I didn't want to necessarily bog
12 you down in that if that would be helpful.
13 And just other issues surrounding members
14 of boards of directors, we can get into as
15 well.

16 COMMISSIONER CAMERON: So, I think,
17 what I hear you saying is we don't have the
18 ability to exempt but we do have the
19 ability to stream lime or limit the amount
20 of work done for an investigation.

21 MR. GROSSMAN: I think that's
22 exactly right. That is the ultimate
23 conclusion. I think there are a number of
24 options you do have. They are including

1 things like considering reciprocity if
2 other jurisdictions have deemed an
3 individual suitable under their standards
4 or truncating the investigation process.

5 While these individuals do have to
6 ultimately be deemed suitable, there is
7 nothing to say that they have to go through
8 the same rigorous background review process
9 that other qualifiers do. So that is on, I
10 think, the list of potential options for
11 the Commission here.

12 COMMISSIONER ZUNIGA: Yes. I'm
13 intrigued about that the truncation because
14 there's, as we discussed in here before, by
15 virtue of being board members of a
16 publically traded company, there is a lot
17 of information that's already required to
18 be available and made available when
19 disclosed. I understand if you did some
20 research relative actually to some criminal
21 background if they had any that would have
22 to be disclosed to directors; is that
23 correct?

24 MR. GROSSMAN: That's right. There

1 are under federal regulations pertaining to
2 the FCC, publically traded corporations do
3 have to make a number of disclosures in
4 their filings in the case of the 14A proxy
5 statements, I believe, it is. Certain
6 legal proceedings that members and
7 prospective members of boards of directors
8 have been involved with dating back ten
9 years have to be disclosed to the
10 shareholders before they vote on these
11 folks.

12 It includes things like criminal
13 convictions excluding minor convictions for
14 presumed traffic-related issues. But
15 anything related to finance and all that
16 kind of stuff would be included. It also
17 includes a lot of other types of legal
18 proceedings involving regulatory bodies,
19 for example. If anyone ever had their
20 broker's license suspended or anything like
21 that, all of these types of things do have
22 to be disclosed.

23 I can represent I looked at the
24 proxy statements for our three licensees

1 and didn't see any such disclosures
2 indicating that there is no one upon the
3 three boards of directors who have any
4 types of issues in that area.

5 COMMISSIONER ZUNIGA: But we knew
6 that.

7 MR. GROSSMAN: Well, we would have
8 known that anyway but there is no -- but we
9 would have known that even if we didn't
10 check ourselves, I guess, is the point. So
11 that's -- I think, that's one of the
12 reasons some of these jurisdictions have
13 grown comfortable and not performing
14 thorough background investigations on these
15 individuals, and that a lot of this
16 information is publically disclosed to the
17 shareholders by law anyway.

18 And as you all know, members of
19 boards of directors typically have an ora
20 of independence from the company. They
21 have duties to the company that inside
22 folks don't necessarily share. Though,
23 there's a lot of that for them, too.

24 COMMISSIONER CAMERON: Exempting

1 someone and asking IEB to find someone
2 suitable are two very different things,
3 though, and I would be interested in
4 hearing from IEB after they've had a chance
5 to examine this matter what they deem risks
6 and how they could, in fact, consider some
7 kind of an investigation that may be -- I
8 hate to use the word "less thorough -- but
9 may be appropriate for this situation. So
10 I for one would like to hear that after
11 they've had a chance to understand that we
12 can't exempt, but we may be able to
13 consider a different format of an
14 investigation.

15 MS. LILLIOS: I can share some of
16 the thoughts of IEB with you. As Todd
17 indicated to date, as part of the initial
18 applications for the three licensees, all
19 of the directors inside and outside
20 submitted to this process. So there is
21 right now the only folks that we are
22 dealing with are the additional -- so by
23 way of attrition or an additional board
24 member, so there is no issue.

1 This is not a burden for us
2 resource-wise. And in terms of the burden
3 on or the difficulty of identifying people
4 to serve in those capacities, I know that
5 there was some communication of that by at
6 least one of the licensees. I haven't
7 delved into that.

8 I just point out that the past two
9 Wynn qualifiers, one was the former admiral
10 head of Navy operations and another was an
11 ambassador to China who went through senate
12 approval. So, I think, at least for those
13 two they were used to a robust background
14 process.

15 With that said, the IEB is not
16 objecting to looking at a different
17 standard for outside directors if the
18 Commission sees fit for that. Our big ask,
19 though, is that these individuals if you do
20 choose to do something different than we
21 are doing now have to submit to an already
22 existing application. So right now, they
23 submit the multi-jurisdictional form and
24 our investigators are familiar with what to

1 do in that process.

2 So, you know, the options would be a
3 key standard type of background or a gaming
4 employee type of background or a gaming
5 service employee background. If that is --
6 so we'd rather not have to train everybody
7 to do a different type of background.

8 The reciprocity piece is we have
9 been using reciprocity for some of the
10 venders and vender qualifiers. I think
11 it's challenging with this category
12 because, first of all, Wynn is operating
13 only in Massachusetts, Nevada and Macau and
14 Nevada and Macau aren't doing this at all,
15 so we'd have nobody to rely on. And then
16 if one of our licensees gets a new
17 director, it's going to be new to all the
18 jurisdictions.

19 So in timing wise, I don't think
20 reciprocity is a great piece for this small
21 category of people. But, I guess, the main
22 ask from IEB is that if you do choose to
23 restrict that, you know, reign in this
24 investigation, restrict this investigation

1 that it fall to one of the existing
2 categories.

3 COMMISSIONER MACDONALD: Can I just
4 say that given that, as Loretta is
5 reporting, that this has not been a burden
6 resource-wise on the IEB. And in as much
7 as we have gone through the suitability
8 process with all our current licensees, I
9 fail to see why we're spending time on
10 this. That I would further assume that
11 anybody who is considering accepting an
12 invitation to the board of directors of a
13 gaming company like Wynn or like MGM or
14 Penn or any other one would expect to have
15 a very detailed investigation done of his
16 or her background on account of the very
17 close scrutiny which the gaming companies
18 are routinely exposed to in the industry.
19 I'm just wondering why we're talking about
20 this.

21 COMMISSIONER ZUNIGA: Well, one
22 thing that I was hoping for was to have IEB
23 just try to streamline where possible,
24 maybe that doing what you're doing normally

1 is the streamline option, but where
2 possible where information is already
3 available because it's been disclosed, you
4 know, in the past that we simply accept
5 that and look at it as a way to simplify
6 our process. I understand that simplifying
7 on one area may mean two different
8 processes, and that by itself creates some
9 kind of different process internally.

10 But rather than calling it
11 truncating, I would call it streamlining
12 where possible taking, you know, full use
13 of available information. It sounds like
14 you've always kept in mind the reciprocity,
15 which is another principle elsewhere in the
16 Gaming Act. And that, again, comes with
17 yes box and not necessarily always a slam
18 dunk. We just have to, you know,
19 incorporate a few other principles as well.

20 COMMISSIONER STEBBINS: Loretta,
21 quick question. The last two outside
22 directors that you mentioned, the reviews
23 that we did, how much of that investigation
24 review drew on the kind of information that

1 needs to be shared with the SCC?

2 MS. LILLIOS: You know, I have not
3 done that side-by-side comparison. I can't
4 answer that question. So those two
5 individuals, they submitted the
6 multi-jurisdictional. That's the -- but I
7 have not done that side-by-side.

8 COMMISSIONER STEBBINS: I mean, just
9 curios. I think that Commissioner Zuniga's
10 point just thinking of streamlining.

11 COMMISSIONER CAMERON: I actually
12 think the individuals having to fill out
13 the forms have that information readily
14 available, because they've been through
15 scrutiny in these other jurisdictions as
16 well as financial filings that they've had
17 to provide. So, I think, it would
18 certainly help the applicant because they
19 have been through it before and that's one
20 area that's, frankly, streamline because
21 it's there. It's readily available.

22 COMMISSIONER ZUNIGA: Please go
23 ahead.

24 MS. LILLIOS: For those folks who do

1 go through this in other jurisdictions,
2 they have reported to us that they want us
3 to ask for the multi-jurisdictional. We
4 have thought about trying to streamline the
5 multi-jurisdiction, which it's an older
6 document, and we have thought about trying
7 to streamline it. The overwhelming ask was
8 please, just leave it the way it is because
9 they've got one document.

10 CHAIRMAN CROSBY: They wouldn't mind
11 if you just excised pieces of it. They
12 just don't want a different document.

13 MS. LILLIOS: They don't want a
14 different document.

15 CHAIRMAN CROSBY: If you took 30 of
16 the 60 pages and eliminated it, they
17 wouldn't have a problem with that. They
18 just don't want you to create a new one.

19 MS. LILLIOS: You're probably right.

20 CHAIRMAN CROSBY: I think there's a
21 couple of different issues here. This is
22 clearly not a federal case, particularly
23 since we've done most of the work. And our
24 ability to impact whether or not people

1 have to fill out the multi-jurisdictional
2 follow-up form is minimal, because most
3 people are going to be in multiple
4 jurisdictions. And if only one asks for
5 it, then they have to do it. And once
6 they've done it, it's pretty well done.

7 So, in my view this is -- I brought
8 it up. That's why we're talking about it.
9 It was originally raised by the CEO of Penn
10 National. And then as you heard me say, I
11 talked to a friend who is also a friend of
12 yours, Walter Lewis. He said he and his
13 friends have decided, forget it. They're
14 not doing it anymore.

15 But, more importantly, I then talked
16 to the heads of the practice for boards of
17 directors at Russell Reynolds and Spencer
18 Steward. The person at Russell Reynolds
19 didn't have any experience to recount. The
20 person at Spencer Stewards said there are
21 two filters for candidates for gaming
22 commission boards. A lot of people don't
23 want to be on them no matter what, so that
24 eliminates a bunch of people. And then his

1 data, such as it is, he said to me that of
2 the willing people who would be willing to
3 be, when they see the multi-jurisdictional
4 form, half of them say forget it.

5 So for what's that worth, you know,
6 it seems like the point that the guy who is
7 the head of Penn National made was
8 substantively correct based on my own
9 personal friend and the head of practice at
10 Spencer Steward.

11 I would like to have us in all of
12 our endeavors kind of be at a forefront of
13 evolving best practices. I think people
14 are -- jurisdictions are backing off this
15 kind of -- this in depth; to wit, the ones
16 you referenced deciding that it's just
17 neither worth the resource of the agency
18 nor the imposition on the candidate.

19 And even though, I think, it would
20 be marginal in its impact if we came to the
21 conclusion that this was no longer really
22 an appropriate use of resources or an
23 appropriate imposition on people, then that
24 would be one small step towards trying to

1 get the whole industry to be a little more
2 rational. I think everybody agrees. You
3 said it. Everybody agrees the
4 multi-jurisdictional form needs to be
5 rethought. And if we contributed to that,
6 I think that would be a good thing.

7 COMMISSIONER CAMERON: And it was
8 reformulated that about five years ago.
9 There were changes made to that document.
10 But, again, you'd have to get an
11 international community to agree to that.

12 COMMISSIONER ZUNIGA: But, you know,
13 there's other pieces besides the form.
14 There is often an in-person interview and
15 additional documentation that follows the
16 form before that in-person typically that
17 there's a follow-up after that. And all
18 I'm saying is that, you know, to the extent
19 that we can come armed with as much
20 information that is publically available
21 to, you know, streamline that process and
22 make it a shorter interview, let's say, or
23 remotely, that's all that we should
24 consider.

1 COMMISSIONER CAMERON: And, I
2 believe, we do that now. In fact, I've
3 heard from folks that have been through the
4 process with us how impressed they've been
5 with the smart interviews. They've read
6 everything. They understand the issues.
7 They are not asking questions that are in
8 the forms already, so I have heard that
9 repeatedly.

10 So, I believe, our investigators
11 are, in fact, conducting the appropriate
12 interview. You know, it's like anything.
13 When you do an investigation, you're
14 assessing risk every step of the way.
15 You're digging deeper if you see signs
16 that -- you know, there are issues with
17 that applicant. And if there are no
18 issues, you're much more able to get
19 through the material quickly, take the
20 information from other jurisdictions
21 because you see there are no red flags
22 here. So, I believe, we are using those
23 techniques now.

24 COMMISSIONER ZUNIGA: Yes, no, no,

1 which is why I said to the extent that we
2 can. I can tell you from my experience
3 just reading the font of the SCC's
4 disclosers, the 10Ks and the 10Qs, it's not
5 great. But after a while, you know where
6 to look. Because you get used to knowing
7 that everybody does it the same way. Every
8 section, subsection of the subsection using
9 the same format and order, you know, then
10 you're comfortable, you know, especially if
11 you're reading the same kind of experience
12 information. That's all I'm saying.

13 CHAIRMAN CROSBY: You know, the
14 model that I've thrown out there before is
15 outside of habit, which is not irrelevant,
16 and outside of sort of reputation and
17 therefore optics, which is also not
18 irrelevant, outside of those two things, is
19 there any reason why a board member for MGM
20 Resorts should go through a refounding more
21 rigorous background check than a person is
22 going to be a board member of the Bank of
23 America, and I don't see that there is
24 really.

1 But, so, I would say, you know, what
2 would be reasonable? Certainly talking
3 both public. Private gets a little more
4 complicated. But talking public companies,
5 you know, the accounting information that
6 the FDIC background check gets, you know,
7 that's sort of a standard for financial
8 institutions where cash is available and so
9 forth and so on. That would seem to be a
10 standard that if we could move towards,
11 that might slowly move other people towards
12 that.

13 COMMISSIONER CAMERON: But, I think,
14 the difference is our law doesn't allow us
15 to do that. Other laws do allow --
16 allow one to exempt. And, I think, Todd
17 just got through explaining that our law
18 does not allow that.

19 CHAIRMAN CROSBY: I thought we could
20 define what made them suitable. If we
21 decided to use, for the sake of discussion,
22 the FDIC form as opposed to the
23 multi-jurisdictional form to determine
24 whether or not outside public sector

1 directors were suitable, that we could do
2 that.

3 MR. GROSSMAN: I think what you both
4 said is correct. That you can't exempt
5 them all together, but you can decide
6 what -- how to determine whether someone is
7 suitable.

8 COMMISSIONER ZUNIGA: But then we're
9 up against, you know, if you create a
10 different form, then it's all more
11 difficult, because we're fine doing one.

12 COMMISSIONER CAMERON: That was the
13 ask from IEB, please don't change the
14 forms.

15 COMMISSIONER ZUNIGA: And, I think,
16 we're all speaking here around the same
17 fundamental issue, which is so long as we
18 take the form because that's what everybody
19 is comfortable with and streamline our
20 process to the extent we can further -- I
21 don't know if we can. And I understand
22 that people have come here to say thank you
23 for your agents for being so prepared for
24 the interview, you know, that we just

1 consider it. Because all of the FCC
2 disclosure is a wealth of information that
3 is already available, and that they already
4 had to go.

5 MS. LILLIOS: And certainly we're
6 always trying to find efficiencies, you
7 know, in the way we conduct the
8 backgrounds, the way we write the reports.
9 Some of that you talked about the
10 interviews. We've made decisions in with
11 certain categories, including the
12 directors, that we do want interview them
13 that face-to-face whether it's a Skype.
14 Sometimes it's even a telephone interview
15 if the technology is not working. So we do
16 try to do that and I'm sure we'll you know,
17 keep chipping way at those as we go
18 forward.

19 COMMISSIONER ZUNIGA: So we put this
20 matter to rest?

21 COMMISSIONER CAMERON: Yes, I think
22 so.

23 CHAIRMAN CROSBY: So we leave it --
24 how would you summarize it; where do you

1 leave it?

2 COMMISSIONER ZUNIGA: We're not
3 changing the form. We're not -- we're
4 still required to do some kind of
5 investigation, the sort of an investigation
6 and you continue to look for efficiencies in
7 ways in which, you know, you can comply
8 with all that's required and make it less
9 painful.

10 CHAIRMAN CROSBY: Okay.

11 COMMISSIONER MACDONALD: I am
12 comfortable with the current practice,
13 because it doesn't seem to have been a
14 manifested problem.

15 COMMISSIONER CAMERON: Agree. Thank
16 you both for your time and effort on this
17 issue.

18 COMMISSIONER ZUNIGA: Thank you.

19 CHAIRMAN CROSBY: Who's next?

20 MR. BEDROSIAN: General Counsel
21 Blue.

22 MS. BLUE: The legal department.

23 MS. LILLIOS: One moment, we have an
24 introduction of a new IEB staff member, if

1 we could that.

2 MR. BAND: I'd like to introduce
3 everybody to the new compliance manager for
4 IEB, Bill Pangoris. He comes to us with 30
5 plus years of experience in the accounting
6 department and will give us a casino view
7 somewhat of all the regulations. Join me
8 in welcoming him.

9 CHAIRMAN CROSBY: Great, thank you.

10 MR. PANGORIS: I have to say it's a
11 warm welcome all throughout the building.
12 Thank you. I look forward to it.

13 COMMISSIONER CAMERON: Great.

14 CHAIRMAN CROSBY: Great. Thank you,
15 Bill. Nice to have you here. You'll get
16 to be on TV soon.

17 MS. BLUE: So good afternoon,
18 Commissioners. You have in your packet the
19 amended small business impact statement and
20 the final revisions to 205 CMR 134. As you
21 know, we've been doing revisions to 134 as
22 necessary as we learn our processes and
23 get, you know, get more comfortable what
24 we're doing.

1 This covers the amendment that takes
2 the administrative closure period from 30
3 days to 21 days, but it does make is easier
4 for the applicant to refile. They don't
5 have the 30 day waiting period that they
6 had before.

7 So if you would approve the amended
8 small business impact statement and the
9 final draft, we will take this through
10 final promulgation. We've held our
11 hearing. We've received comments. So we
12 are ready to just take it to the final
13 point.

14 CHAIRMAN CROSBY: Comments?

15 COMMISSIONER STEBBINS: Mr. Chair, I
16 move that the Commission approve the
17 amended small business impact statement for
18 205 CMR 134 as provided in the packet and
19 request the staff to take the final draft
20 and small business impact statement through
21 the final steps of promulgation.

22 COMMISSIONER CAMERON: Second.

23 CHAIRMAN CROSBY: Any further
24 discussion? All in favor?

1 COMMISSIONER CAMERON: Aye.

2 COMMISSIONER MACDONALD: Aye.

3 COMMISSIONER STEBBINS: Aye.

4 COMMISSIONER ZUNIGA: Aye.

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

7 MS. BLUE: Thank you. That's it for
8 legal.

9 CHAIRMAN CROSBY: Director
10 Bedrosian.

11 MR. BEDROSIAN: Boy, best for last,
12 I guess. Well, I was going to introduce
13 Mr. Pangoris and I'm particularly happy he
14 is here with his expertise in the industry.
15 As I was going through our opening
16 checklist, I see that for the casinos, 60
17 days before opening the executive director
18 must approve all internal controls.

19 So I told Bill he and I will be
20 spending a lot of time together, but I do
21 look forward to his expertise. And, I
22 think, he comes to us with an industry view
23 that hopefully that will allow us from a
24 traditional regulator's point of view to

1 put on a different hat and think about, you
2 know, what really we care about and what is
3 material, so I look forward to that.

4 The other two items I have today
5 really also involve Deputy Director
6 Grossman and a plethora of assignments you
7 have seen that he has taken on. The first
8 one was, I think, Mr. Chairman, you had
9 noted what should have been obvious maybe
10 to all of us. In our core values and
11 mission statement initially reflected what
12 the Commission was maybe a few years ago in
13 terms of being a Big L licensing body.

14 And when I say that, I mean
15 licensing our Big L licensees and that we
16 are in the process of working towards what
17 I might call a steady state operation when
18 our Big L licensees are up and running.

19 So with the help of Todd and senior
20 staff, we took a shot at modifying our core
21 values and mission statement to reflect the
22 maturation process of the Commission. And
23 this is I take, and I will let Todd add
24 anything that he wants to, is just an

1 introduction of this for your
2 consideration. I don't expect anyone to
3 jump up and down and cheer or maybe not but
4 just start this discussion with the
5 Commission. Todd.

6 MR. GROSSMAN: I would just modify
7 that a bit in that, I think, the Commission
8 looked at this one other time, and we have
9 received some input from at least some of
10 the Commissioners and made some
11 adjustments. And it's our sense that this
12 present version better reflects the present
13 position the Commission is in relative to
14 our mission and what have you, so
15 everything else stands.

16 COMMISSIONER MACDONALD: I thought
17 it was an impressive revision. I had, you
18 know, one question relating to the final
19 paragraph of we value a deep commitment and
20 it was customer service and now it's been
21 changed to public service respectful, et
22 cetera, et cetera. I didn't understand why
23 the use of the word "public" there as
24 opposed to customer or constituent. Public

1 service is anybody who is working for a
2 public agency. I don't know what the
3 origin of that was. Not a big deal.

4 CHAIRMAN CROSBY: I was going to
5 raise the same thing. I mean, you too?

6 COMMISSIONER ZUNIGA: Yes.

7 CHAIRMAN CROSBY: I mean, customer
8 service was there. Customer service has a
9 common meaning and what, I think, we meant
10 was we really want to be a customer service
11 based and focused agency and public service
12 really means something quite different. So
13 I would have the same reaction. Do you
14 remember what the thought process was?

15 MR. GROSSMAN: I don't have a
16 specific memory as to why we adjusted that
17 word, but happy to obviously switch it
18 back.

19 COMMISSIONER MACDONALD: It might
20 have been Executive Director Bedrosian.

21 MR. BEDROSIAN: I think that's the
22 way that stuff goes uphill. I don't. The
23 only thought process, and I don't remember
24 specifically, is that we do do a lot of

1 unique things in terms of a Commission that
2 could have a public impact, a lot of the
3 studies we do. But I think you're right.
4 I heard the Chairman and the Commission
5 talk about our customer service in the way,
6 you know, our customers is very broadly
7 defined. We don't have a narrow view of
8 customers. We have a broad view of
9 customers. So, I think, if we instill
10 that, which I think staff already has, that
11 customers is very broadly defined. We can
12 go backwards and keep the same intent.

13 CHAIRMAN CROSBY: I was thinking of
14 somebody liked the idea of expanding a
15 statement that we value public service that
16 in that opening line it could say "are
17 committed to public service and to a set of
18 core values" if somebody was moved to make
19 a point. There is an affirmative point.
20 It's why a lot of us are here.

21 COMMISSIONER CAMERON: Yes. I like
22 including that in the beginning, because I
23 do think there is a lot incorporated in
24 public service and to be committed to that

1 says something.

2 COMMISSIONER ZUNIGA: It's important
3 and keep the customer service --

4 COMMISSIONER CAMERON: Yes.

5 COMMISSIONER ZUNIGA: -- point at
6 the bottom, which in context really reads
7 about everybody that we can come in contact
8 in. I had a question, observation, it may
9 be fine the way it is, but where we talk
10 about the diverse workforce, supplier base
11 and inclusiveness among our licensees, we
12 took out partners in the gaming industry
13 and left it simple more general in terms of
14 licensees.

15 But I also thought of the people in
16 the Massachusetts gaming industry to
17 include public stakeholders, other
18 agencies, sister agencies, not necessarily
19 just people we license. So, and I know
20 that in this context licensee is not just
21 the three big licenses but anybody that we
22 license and register, which may include
23 individuals and whatnot. So I just wanted
24 to kind of put the thought out there that

1 maybe there is not just of the licensees
2 but other stakeholders.

3 COMMISSIONER STEBBINS: I like that
4 idea. I think we've seen even through some
5 of the presentations we had already where
6 companies who are doing work for our
7 licensees are actually being recognized for
8 their focus on diversity and strengthen the
9 workforce, which is going to yield results
10 for them. I like the idea of kind of --
11 maybe there is a different way to word our
12 partners in the Massachusetts gaming
13 industry but kind of expanding it out
14 beyond us and our direct licensees.

15 CHAIRMAN CROSBY: Now, that you
16 mention it, I think if it's partners, you
17 know, we include the state police. We
18 include --

19 COMMISSIONER CAMERON: I like the
20 first one.

21 CHAIRMAN CROSBY: -- the unions.
22 They are not our licensees, but they are
23 people with whom we work and with whom we
24 want to share and promote these same

1 values, so I actually think maybe the
2 original was better, too.

3 COMMISSIONER ZUNIGA: I mean, our
4 licensees distinguishes them.

5 COMMISSIONER CAMERON: And they are
6 part of the gaming industry. The more
7 inclusive term I liked as well.

8 COMMISSIONER ZUNIGA: Lastly, I had
9 a comment on the mission statement where it
10 says the Commission will stride to ensure,
11 et cetera, et cetera. I'm going to suggest
12 that we just put in the present as an
13 ongoing "the Commission strides," because I
14 think we have done that. I think we do it
15 as a matter of course, and we'll continue
16 to do that.

17 MR. GROSSMAN: I'm sorry,
18 Commissioner, where is that?

19 COMMISSIONER ZUNIGA: Last sentence
20 in the mission statement, instead of the
21 Commission will stride, the Commission
22 strives.

23 MR. BEDROSIAN: In the mission
24 statement, Todd.

1 MR. GROSSMAN: Oh, the mission
2 statement. I got that.

3 COMMISSIONER CAMERON: Yes, I like
4 that.

5 CHAIRMAN CROSBY: You can see where
6 our minds were when we wrote this. We were
7 looking forward.

8 COMMISSIONER CAMERON: At the very
9 beginning.

10 CHAIRMAN CROSBY: Anything else?

11 MR. BEDROSIAN: We'll make those
12 changes and just bring it back one more
13 time.

14 COMMISSIONER CAMERON: Great, thank
15 you.

16 MR. BEDROSIAN: Todd, don't go
17 anywhere. You will remember,
18 Commissioners, I think you'll remember,
19 that there was an issue around the
20 promulgation -- or I'm sorry, a monthly
21 reward card statement that needed to be
22 sent out to patrons with reward cards
23 pursuant to Chapter 23K Section 29.

24 And we had, I think, determined a

1 mistake at staff level that this was a --
2 we had given our licensees some advice this
3 was an opt in option. And looking at the
4 statute, I think we determined more
5 appropriately that it was an opt out. So
6 in other words, the presumption was you
7 were in this. Sort of gives some clarity,
8 because it was a little confusing.

9 I asked Deputy General Counsel
10 Grossman to work on some regulations that
11 would give some clarity to this section of
12 law, and he has done so, and that's in the
13 proposed regulation in front of you. We
14 have consulted, I believe, with our
15 licensees on this. And this is the first
16 time you have seen it, but I think we've
17 sort of gone through our informal process
18 with our licensees already.

19 So we are ready for formal
20 promulgation, at which time we'd still take
21 in more comments, if we got it wrong, if we
22 got it right, those types of things. But
23 this issue has been sitting out there
24 awhile, so we didn't want it to linger too

1 much longer. Todd, do you want to add
2 anything to that?

3 MR. GROSSMAN: No, that covers it.
4 Happy to walk through it if that's helpful
5 or discuss the statutory requirements.

6 CHAIRMAN CROSBY: I think it's
7 pretty straightforward. I think it's a
8 pretty big change but it was we just made a
9 mistake, which happens. I don't see any
10 way around it. It's more square. It's a
11 nontrivial matter for the licensees, but I
12 think were sort of stuck with it.

13 MR. BEDROSIAN: Yes. I think what
14 the regulation tries to do is incorporate
15 in electronic delivery mechanism in lieu of
16 actual mailing. I think we keep in mind,
17 you know, legislature was promulgated the
18 Expanded Gaming Act in 2010 and 2011, which
19 admittedly e-mail was prominent then. But,
20 I think, even we'd all say anecdotally we
21 recognize what's happened in the last seven
22 or eight years in terms of how people get
23 their information whether digitally or by
24 mail anymore. So, I think, this tries to

1 reflect that reality.

2 CHAIRMAN CROSBY: I mean, I'm in
3 favor of liberally interpreting our statute
4 as you know, but it sort of feels to me
5 like they went out of their way to say mail
6 means mail, mailed to the patron at the
7 patron's physical mailing address. It sort
8 of feels to me like they had something in
9 mind. They meant we want to it to be
10 mailed by snail mail.

11 COMMISSIONER ZUNIGA: I take the
12 opposite view in the sense that with being
13 so accessible and the amount of time that
14 we spend on Smart phones really reaching by
15 e-mail has become the most effective way of
16 communicating with people. I know that
17 that is how that reads, but I think having
18 the e-mail option is really for all intents
19 and purposes. I don't know what --

20 COMMISSIONER CAMERON: I think
21 e-mail is mail.

22 COMMISSIONER ZUNIGA: The secretary
23 of State has opined on that matter that
24 even electronic signatures count as regular

1 signatures.

2 CHAIRMAN CROSBY: I'm probably okay
3 however we go with this but it's, again,
4 just trying to be honest about what they
5 were thinking. One big difference between
6 snail mail and e-mail is it's harder to
7 hide snail mail from other members of your
8 family and that may be why they went out of
9 their way to say mail to a physical
10 address.

11 COMMISSIONER ZUNIGA: I think the
12 e-mail of your spouse.

13 COMMISSIONER STEBBINS: To put in
14 physical mail, I think, probably is more to
15 a legal point than if I mail something to
16 you, there's an automatic assumption on the
17 other end that you're getting. I don't
18 know if they probably saw the same, you
19 know, same standard being set with e-mail
20 as opposed to physical mail. I'm
21 assuming -- I mean, if the utility company
22 says they mailed you the bill, guess what,
23 there's every assumption that you got it.

24 MS. BLUE: There's a lot of case law

1 around things that are mailed and when
2 they're received. I think in this case
3 it's an option. If the patron doesn't
4 provide an e-mail address, then I would
5 imagine that they're going to have to be
6 mailed a statement.

7 So, I view this more as giving the
8 patron an option if they wanted an e-mail
9 because that is what their -- that's what
10 they review and that's what's more
11 important to them, then they have that
12 capability.

13 CHAIRMAN CROSBY: That is the way
14 you would interpret our proposed reg. not
15 the law.

16 MS. BLUE: Yes, the law has one way.
17 I think the legislature probably didn't
18 think about all the ways things could be
19 communicated but I think this, like opting
20 out, this is also another way to get the
21 information that the legislature was clear
22 if they wanted patrons to be able to get
23 mail if they wanted to.

24 COMMISSIONER ZUNIGA: And to that

1 end, you know, in terms of giving options,
2 at least having to know through the
3 GameSense program, that people are big
4 users of the kiosks to check their
5 statements. That's not in any kind of
6 statutory requirement or regulation. But
7 it's yet another keeping with informed
8 decision-making in providing the
9 individuals how many entry points of
10 information you may have. So it's giving
11 people an option to receive it however they
12 want to receive it.

13 CHAIRMAN CROSBY: Well, I think
14 we're favor of proceeding down the road,
15 right?

16 MR. BEDROSIAN: Sure.

17 CHAIRMAN CROSBY: And this would be
18 something I'd be interested to hear if
19 other people have any comments on
20 besides -- you talked to all of the
21 licensees that looked at this?

22 MR. GROSSMAN: I have.

23 CHAIRMAN CROSBY: So do we need a
24 vote on this, yes?

1 MR. BEDROSIAN: You do.

2 MS. BLUE: To let us start the
3 formal promulgation process.

4 COMMISSIONER STEBBINS: Mr. Chair, I
5 move the Commission approve the proposed
6 205 CMR 138.13 monthly rewards and card
7 statements and request the staff to begin
8 the formal promulgation process.

9 COMMISSIONER MACDONALD: Second.

10 CHAIRMAN CROSBY: Further
11 discussion? All in favor?

12 COMMISSIONER CAMERON: Aye.

13 COMMISSIONER MACDONALD: Aye.

14 COMMISSIONER STEBBINS: Aye.

15 COMMISSIONER ZUNIGA: Aye.

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

18 MR. BEDROSIAN: And then I only have
19 one last item, which is to wish a happy
20 birthday to a Member of the Commission, who
21 will remain nameless, whose birthday is
22 some time in either the past or next 24
23 hours.

24 COMMISSIONER STEBBINS: Commissioner

1 Macdonald laughed first. I'm beginning to
2 narrow it down.

3 CHAIRMAN CROSBY: You can be silent
4 about the number of years, but you can't be
5 silent about the Commissioner.

6 MR. BEDROSIAN: I will give the
7 Commissioner a moment to self-identify
8 themselves.

9 COMMISSIONER CAMERON: Thank you.

10 COMMISSIONER MACDONALD: Happy
11 birthday.

12 COMMISSIONER STEBBINS: The big 50.

13 COMMISSIONER CAMERON: The Executive
14 Director can't get away from that
15 investigative mode.

16 MR. BEDROSIAN: That's all,
17 Mr. Chairman.

18 CHAIRMAN CROSBY: Any Commissioner
19 reports, comments?

20 COMMISSIONER MACDONALD: I just had
21 one thing that tomorrow I am going to be
22 attending the grand opening of the casino
23 management program of the Bristol Community
24 College, which has been set up in Taunton

1 space at the Gallery Mall. Commissioner
2 Cameron and I were both at an earlier --
3 responded to an earlier invitation when
4 they were just furnishing it and setting up
5 the gaming equipment. And as much as it's
6 Southeastern Massachusetts, it's something
7 I care about. I'm not sure if they are
8 ever going to have a gaming operations in
9 Eastern Massachusetts. But, nevertheless,
10 I have been very impressed with the way
11 that the college has gone about the setting
12 up of the program and all appears to be
13 very well-run and should be a good
14 dedication.

15 COMMISSIONER CAMERON: I concur.
16 They did a really nice job. I had one
17 update, Mr. Chair, as well. I was
18 fortunate enough to attend a groundbreaking
19 ceremony in Plainville this week, very well
20 attended. This is the new town hall and
21 public safety building and riding by the
22 old they are really prepared. And all the
23 moneys are coming from the host community
24 agreement and other gaming moneys. The

1 entire police department, fire department,
2 EMS as well as all the town officials and a
3 number of residents attended.

4 I was surprised by the amount of
5 people who are just so pleased with the way
6 the introduction to a casino in their town
7 and all the positive, the positives that
8 are coming from this. I think mentioned
9 over and over again is how hard everybody
10 has worked to minimize the negative impacts
11 of the casino.

12 And, I think, it was really apparent
13 that, you know, the law is working as
14 intended and buildings like this are
15 possible because of the benefits going to
16 the community. I was pleased to represent
17 the Commission at that event.

18 CHAIRMAN CROSBY: Great.

19 COMMISSIONER STEBBINS: I was
20 pleased to represent the Commission, along
21 with Executive Director Bedrosian, just
22 about two weeks ago at the Spirit of
23 Massachusetts race down at Plainridge Park,
24 packed crowd.

1 CHAIRMAN CROSBY: In the
2 grandstands?

3 COMMISSIONER STEBBINS: In the
4 grandstands. They had a reception up top
5 as well as the gaming floors was very
6 well-populated for a Friday afternoon. We
7 met -- I probably walked right by him on
8 the street but not anymore, John Campbell,
9 the winningest harness driver by purse
10 winnings happened to be there. He has
11 helped win over 300 million-dollars in
12 purses throughout his career. Former
13 Patriot quarterback Scott Zolak was there.
14 Patriot's end zone militia kind of startled
15 our judges when they fired off their
16 muskets. That was great.

17 And it was excited to see, you know,
18 not only the patrons but our own staff
19 getting excited about getting ready to
20 judge this race. I mean, I think kind of
21 been a dream for some to have this race to
22 come back to Massachusetts, have it fit
23 into the stake's calendar.

24 And the track record was not only --

1 was broken twice. It was broken by the
2 race before the Spirit of Massachusetts
3 race and then which contained a lot of
4 horses who didn't qualify for the Spirit of
5 Massachusetts race, and of course the
6 winner of the Spirit of Massachusetts race
7 broke the track record as well.

8 It was an exciting day to be down
9 there, and from Director Lightbown we heard
10 that handle was up on the amount of on-site
11 betting for the day was just kind of blew
12 the numbers right off the charts.

13 COMMISSIONER CAMERON: Major league
14 racing at Plainridge.

15 COMMISSIONER STEBBINS: Incredible
16 horses.

17 CHAIRMAN CROSBY: Great. Anybody
18 else?

19 COMMISSIONER ZUNIGA: Yes, I do want
20 to just mention I went to the -- I attended
21 the annual conference of the National
22 Council on Problem Gambling in Portland
23 three weeks ago, and there is a couple of
24 instances of updates that will be

1 forthcoming. There is a big survey that is
2 about to be released about the state of the
3 states where we will feature prominently as
4 to the amount of spend that is going
5 relative to other states.

6 The general thing that I took with
7 me is that Massachusetts is really
8 recognized as a leader in this area and not
9 just -- I'm not trying to give ourselves a
10 lot of congratulations, you know, a
11 testament to the Gaming Act, the Attorney
12 Generals' regulations from DFS, the work
13 that GameSense and now MGM GameSense is
14 doing.

15 And to the point that there is
16 another number of comments and planury
17 sessions, Mark had a great planury session,
18 by the way, in front of 550 people, you
19 know, comments about the Massachusetts
20 miracle, Massachusetts did it right and to
21 this from Singapore wanting to schedule
22 interviews with us so that we can tell them
23 about GameSense and things like that.

24 It was just really something that I

1 wish you all could all see. You know, we
2 can only -- so many of us can go to these
3 conferences, but I think a lot of the work
4 that came from the origins of the Gaming
5 Act and the amount of span and indication
6 and the work that we have done. Marlene
7 Warner became the president of the national
8 organization as part of that meeting, and I
9 think that all comes together under the
10 same theme of there is a lot of good stuff
11 happening here in Massachusetts. I just
12 wanted to share that.

13 CHAIRMAN CROSBY: Great, thank you.
14 That's good to hear. While we're on this
15 note, we are moving down the road to get a
16 regional voluntary self-exclusion plan in
17 place. Have most, if not all, of the
18 jurisdictions in New England agreed. We
19 were asked by New York if they could join
20 us, and it looks like we're going to be
21 able to include them.

22 We already have a draft VSE form
23 where everybody has agreed to standardize
24 the requirements for voluntary

1 self-exclusion. We've now been asked by
2 Pennsylvania whether they could join us.
3 We haven't quite decided yet. We might
4 decide not to bite that one off yet. There
5 are no regional voluntary self-exclusion
6 programs anywhere. They're all
7 jurisdiction by jurisdiction. And if we
8 could ever get this -- it looks like we
9 will get this off the ground, and it will
10 be quite an addition to this whole thing,
11 cool. Anybody else? Do I have a motion to
12 adjourn?

13 COMMISSIONER MACDONALD: So moved.

14 CHAIRMAN CROSBY: Second?

15 COMMISSIONER CAMERON: Second.

16 CHAIRMAN CROSBY: All in favor?

17 COMMISSIONER CAMERON: Aye.

18 COMMISSIONER MACDONALD: Aye.

19 COMMISSIONER STEBBINS: Aye.

20 COMMISSIONER ZUNIGA: Aye.

21 CHAIRMAN CROSBY: We are adjourned.

22
23 (Meeting adjourned at 3:08 p.m.)
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APPEARANCES:

MASSACHUSETTS GAMING COMMISSION STAFF:

Catherine Blue, General Counsel

Edward Bedrosian, Executive Director

John Ziemba, Ombudsman

Loretta Lillios, Chief Enforcement Counsel

Michael Sangalang, Digital Communications

Coordinator

Paul Connelly, Director

Alex Lightbown, Director and Chief Veterinarian

Jill Griffin, Director

Todd Grossman, Deputy General Counsel

Mark Vander Linden, Director of Research and

Responsible Gaming

Teresa Fiore, Program Manager

William McAvoy, General Counsel, Operational

Services Division

Bruce Band

1 APPEARANCES (Continued):

2

3 GUEST SPEAKERS:

4 Bruce Barnett, Suffolk Downs

5 Victor Ortiz, Director-Offices of Problem Gambling

6 Lindsey Tucker, Associate Commissioner-Department
7 of Public Health

8

9 WYNN BOSTON HARBOR:

10 Robert DeSalvio, President

11 Jacqui Krum General Counsel

12 Peter Campot, Director of Construction

13

14 MGM SPRINGFIELD:

15 Seth Stratton, President and General Counsel

16 Alex Dixon, General Manager

17 Brian Packer, Vice President of Construction

18 Courtney Wenleder, CFO

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COMMONWEALTH OF MASSACHUSETTS

I, KRISTEN M. EDWARDS, COURT REPORTER,
do hereby certify that the foregoing is a true and
accurate transcription of my stenographic notes,
to the best of my knowledge and ability.

WITNESS MY HAND, this 15th day of
August, 2017.

Kristen M. Edwards