



Massachusetts Gaming Commission Meeting Minutes

Date/Time: October 24, 2019 – 10:00 a.m.

Place: Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Present: Chair Cathy Judd-Stein
Commissioner Eileen O'Brien
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga
Commissioner Gayle Cameron

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



Call to Order

See transcript page 1

[10:06 a.m.](#) Chair Cathy Judd-Stein called to order public meeting #280 of the Massachusetts Gaming Commission.

Approval of Minutes

See transcript page 1

Commissioner Stebbins moved to approve the minutes from the Commission meeting of October 10, 2019, subject to correction for typographical errors and other nonmaterial matters. The Chair noted that she would like the record to reflect that the Commission acknowledged Commissioner Cameron's service as chairing the Public Safety committee. Commissioner Cameron seconded the motion.

The motion passed unanimously, pending the requested edit.

Administrative Update

See transcript page 2

10:08 a.m. **General Update**

Executive Director Ed Bedrosian stated that Bob DeSalvio has moved on from his position as president of Encore Boston Harbor. Mr. Bedrosian thanked Mr. DeSalvio on behalf of the Commission staff for his work on behalf of Wynn/Encore. He then stated that the Commission looks forward to working with Mr. Brian Gullbrants in the future.

The Chair noted that there has been a change in the agenda and that the Commission will not move forward on item #7 (Final Draft Version of 205 CMR 6.35: Pick (n) Pools; and Amended Small Business Impact Statement – VOTE to Complete the Promulgation Process) today. The Commission will vote on this item at the November 7th Commission meeting in Plainville.

Ombudsman

See transcript pages 2 – 12

10:12 a.m. **2020 Draft Community Mitigation Fund (CMF) Guidelines**

Ombudsman John Ziemba presented the draft of guidelines regarding the Community Mitigation Fund for 2020. He recommends that the Commission allocate the funds by region, after accounting for grants that will be made for Category 2 impacts. Mr. Ziemba described specific allocation recommendations and options to the Commission. He recommends that the Commission approves the discussion draft today and that the draft goes out for a public comment period to end on Monday, November 25th, 2019. Staff would then bring the final draft back to the Commission at the December 5th Commission meeting for final approval. This plan will afford communities approximately two months to craft their applications before the statutory February 1, 2020, application deadline.

10:25 a.m. Commissioner Zuniga stated a point that the two regions may not have to be exactly balanced, as Region A has approximately twice as many potential employees as Region B. He stated that as the program moves forward, the Commission will need to consider the relative size of some of these efforts.

Commissioner Zuniga added that he is in favor of obtaining a Statement of Interest from applicants, as this will provide a sense of what potential exists, and can help the Commission formulate future CMF guidelines.

Next, Mr. Ziemba reviewed projections for revenues being placed into the CMF by the end of the year, based on average daily contributions to the fund to date.

Construction Project Oversight Manager Joe Delaney led a discussion regarding a possible policy decision to allow more funds to build per region by implementing

a strategy of spending initial (old) funds in the CMF first, vs. spending new funds first.

[10:43 a.m.](#) Concerning the Workforce Development program, Commissioner Stebbins noted the potential for contributions from communities in terms of matching funds. He recommended providing a reward for a match as opposed to limiting it to just regional cooperation and requested that feedback be provided via stakeholders.

Director of Workforce, Supplier and Diversity Development Jill Griffin stated that staff has included in the guidelines a focus on hospitality. There is also focus on vocational-based English for Speakers of Other Languages (ESOL), as well as areas highly aligned with the casinos' needs, and the potential to impact area businesses.

The Chair and Ombudsman acknowledged and thanked Program Manager Mary Thurlow for her work and contribution to the CMF guidelines.

[10:45 a.m.](#) **Local Community Mitigation Fund Advisory Committee (LCMAC) and Sub-Committee Appointments**

Ombudsman Ziembra recommended that the Commission appoint Ms. Allison Ebner, Director of Membership & Partnerships at Employers Association of the Northeast (EANE) as the Region B LCMAC Chamber of Commerce representative. He thanked Kate Kane for her service on the committee.

Commissioner Stebbins stated that Ms. Ebner is currently a member of the Springfield Regional Chamber of Commerce and that she will be a valuable voice for employers on the committee. He reviewed a memo detailing her credentials with the Commission.

[10:48 a.m.](#) *Commissioner Stebbins moved that the Commission approve the appointment of Allison Ebner to the Region B Local Community Mitigation Advisory Committee. Commissioner Zuniga seconded the motion. The motion passed unanimously.*

Research and Responsible Gaming

See transcript pages 12 – 27

[11:00 a.m.](#) **Gambling Behavior, Risk Factors for Problem Gambling and Public Health Recommendations: A Pilot Study in Boston's Chinatown**

Director of Research and Responsible Gaming Mark Vander Linden introduced Professor Carolyn Wong of the University of Massachusetts Boston and Executive Director Giles Li of Boston Chinatown Neighborhood Association (BCNC).

Mr. Vander Linden briefed the Commission, explaining that the focus of the study to be presented today is on gambling behavior among special populations in

Massachusetts. The objective of the study is to advance knowledge regarding the introduction of casinos on population subgroups not reached by the initial general population baseline survey.

Dr. Wong presented to the Commission the team's research findings, noting the focus of their initial interview was with low-income individuals from the Asian community, as the SEIGMA study does not include them. Data suggest that Asians are at high-risk for gambling problems.

Dr. Wong stated that the market has sophisticated methods to target Asians and bring them to the casino (the study did not highlight marketing strategies here in Massachusetts yet). She said that low-income Asian communities are more at risk than others and that there is a lack of services for this group.

There was discussion around the criteria that one needs to meet to qualify for help with a gambling disorder that doesn't allow adequate access to services. Ms. Wong stated that there is a need for preventative education for youth and adults, curbing marketing and advertising practices, and making culturally appropriate services available.

[11:32 a.m.](#)

Mr. Li introduced himself. He described the BCNC as a community-based social services organization headquartered in Chinatown, which is one of the largest immigrant social service providers in New England. He concurred with Dr. Wong's remarks and led a discussion around working with Asian families in the community that have been adversely affected by gambling.

Commissioner Zuniga asked if there is any knowledge of the Commission's Self-Exclusion program among the interviewees in the study. Mr. Li answered that he does not believe there is any widespread knowledge of this program. However, Mr. Vander Linden clarified that the Mass Council has trained two dedicated agents to enroll individuals into the voluntary self-exclusion program from the Asian-American Service Association. However, there is a need to recruit more agents to facilitate this process better.

[11:48 a.m.](#)

Mr. Li made recommendations to the Commission that would help facilitate culturally appropriate prevention and services for Asian-Americans to include a five-year research program to develop an understanding of the social-economic impacts of legalized casino gaming in Asian communities.

Commissioner Stebbins recommended that this be an ongoing agenda topic for the Commission to continue to consider. He also stated that he would like to share with workforce partners this report after discussing it with potential partners that he met at a recent state-wide Workforce Summit meeting. The focus of the summit focused on available jobs with higher wages and consistent hours that are being offered. Knowledge of these opportunities would be helpful to the

workforce community that is focused on the greater Boston area and specifically in Chinatown.

[11:50 a.m.](#) Commissioner Zuniga then led a discussion around public outreach strategies for making programs and services available. Dr. Wong stated that they have a short term plan; however, they need another phase of funding to implement more significant methods to effectuate the plan.

Next, Commissioners Cameron and Zuniga discussed targeted advertising vs. deceptive marketing. Commissioner Zuniga noted that the Commission would like to hear from members like Mr. Li if they begin to notice any of this happening. Commissioner Zuniga then stated that prevention efforts should be targeted equally or more.

The Chair asked about what Asian languages the GameSense agents can converse. Mr. Vander Linden indicated Mandarin, Cantonese, and Vietnamese. He then stated that when Encore opened, the GameSense team reached out to many different community organizations, explicitly targeting the Asian-American communities.

The Chair stated that this is the beginning of a conversation that will keep the Commission vigilant. She made note that the Commission will work as partners with communities regarding the community-oriented recommendations heard today.

Commission Matters

See transcript pages 27 – 40

[12:13 p.m.](#) **Region C Follow-Up**

Mr. Bedrosian stated to the Commission that the goal of the discussion today is for the Commission to provide feedback and a sense of the status regarding Region C. He also noted that Senator Marc Pacheco from the Plymouth and Bristol county regions is present today in the audience.

Mr. Bedrosian specifically noted to the Commission that there is no implication that any decision needs to be made today, and timing for this issue is purely within the discretion of the Commission.

The Commission then reviewed a memo in the [Commissioners' Packet](#) entitled, "Region C – Possible Next Steps" regarding possible next steps regarding Region C. There was discussion around opening up the region for a new application process, reviewing public comments that were received between August 8 and September 13, 2019, as well as issuing a request for more specific feedback, and holding a public hearing to solicit information and feedback.

The Commission specifically discussed a letter that was received from Mass Gaming & Entertainment (MG&E) legal counsel. In the letter, the party asked whether or not the Commission intends to initiate a new Request for Proposal (RFP) for Region C.

[12:19 p.m.](#) The Chair requested that the Legal Division provide a formal update via memorandum regarding the tribal litigation matter, as it is a critical part of the overall evaluation of Region C.

[12:28 p.m.](#) Commissioner Zuniga led a discussion around some completed market studies that were conducted when Massachusetts passed the Expanded Gaming act. He noted that they that have been updated recently and those they would be helpful in this process. He summarized those studies for the Commission.

[12:37 p.m.](#) Senator Mark Pacheco thanked the Chair and members of the Commission for allowing him to provide his thoughts as the Commission continues its deliberations. He requested that the Commission delay their decision regarding Region C until the end of the year when the federal legislature may determine whether Native Americans will be allowed to open a casino in the region. He suggested that there is no way to determine the status of the market until the Commission requests bid proposals.

Lastly, the senator stated that he represents Taunton, Wareham, and all the communities in between that span the Route 495 belt and that thousands of his constituents want to bring customers from Rhode Island and Connecticut casinos back to Massachusetts.

[12:52 p.m.](#) The Commission thanked the senator for his remarks. Commissioner Cameron stated that the Commission is very respectful of the role of the legislature and that only the legislature has the authority to make changes to the law. She clarified that the Commission is only trying to choose the best course of action regarding the region presently, and does not presume any legislative outcomes.

Commissioner Stebbins asked the senator if it would be helpful to him and his colleagues if the Commission assesses the market for sports betting as it might pertain to revenues generated for the Commonwealth. Senator Pacheco responded that yes, the legislature would benefit from receiving as much information as possible on these issues.

[1:06 p.m.](#) The Commission agreed that staff should return with a definitive federal legislation update and a draft a Request for Information (RFI) to solicit feedback from the public and assess expertise from consultants regarding Region C for the Commission to formalize. The RFI could be issued with the understanding that a respondent would not be precluded from a potential Request for Response (RFR)/Request for Proposal (RFP).

Commissioner Stebbins commented that he would like the Commission to remain open to a role it might play regarding Brockton's status as a gateway city, and its need for economic development opportunities and new employment opportunities for their residents.

Executive Session

See transcript pages 40 - 42

[1:15 p.m.](#) The Chair stated that in the interest of time, Commissioners' Updates, as well as Item #7 (Legal Division's regulation item) will be moved to the next Commission meeting.

The Chair then stated that the Commission will be going into an Executive Session pursuant to M.G.L. Chapter 30A, Section 21(a)(3) for the purpose of discussing strategy with respect to collective bargaining, as discussion at an open meeting may have a detrimental effect on the bargaining position of the Commission. The public session of the Commission meeting will not reconvene at the conclusion of the executive session.

Commissioner Cameron moved to go into Executive session. Commissioner Zuniga seconded the motion. Roll call vote:

Commissioner Stebbins: Aye.

Commissioner Cameron: Aye.

Commissioner Zuniga: Aye.

Commissioner O'Brien: Aye.

Chair Judd-Stein: Yes.

Next, the Chair stated that the Commission will go into Executive Session in accordance with M.G.L. Chapter.30A, Section 21(a)(3) for the purpose of discussing strategy with respect to the ongoing Region A litigation as discussion at an open meeting may have a detrimental effect on the litigating position of the Commission. The public session of the Commission meeting will not reconvene at the conclusion of the executive session.

Commissioner O'Brien moved to go into executive session. Commissioner Stebbins seconded the motion. Roll call vote:

Commissioner Stebbins: Aye.

Commissioner Cameron: Aye.

Commissioner Zuniga: Aye.

Commissioner O'Brien: Aye.

Chair Judd-Stein: Yes.

Lastly, the Chair recused herself from the next Executive session, as she has in the past. This Executive session, in accordance with M.G.L. Chapter.30A, Section 21(a)(3) is for the purpose of discussing strategy with respect to the ongoing Region A litigation as discussion at an open meeting may have a detrimental

effect on the litigating position of the Commission. The public session of the Commission meeting will not reconvene at the conclusion of the executive session.

Commissioner Zuniga moved to go into executive session. Commissioner Stebbins seconded the motion. Roll call vote:

Commissioner Stebbins: Aye.

Commissioner Cameron: Aye.

Commissioner Zuniga: Aye.

Commissioner O'Brien: Aye.

Chair Judd-Stein: Noted her recusal.

List of Documents and Other Items Used

1. Notice of Meeting and Agenda dated October 24, 2019
2. Draft Commission Meeting Minutes dated October 10, 2019
3. PowerPoint Presentation: Talking About Gambling: Community Voices from Boston Chinatown
4. Report: Talking About Casino Gambling: Community Voices from Boston Chinatown dated October 24, 2019
5. Memo re 2020 Community Mitigation Fund Draft Guidelines dated October 23, 2019
6. 2020 Community Mitigation Fund Guidelines dated October 21, 2019
7. Memo re Recommendation for Appointment of Allison Ebner for Appointment to the Region B Local Community Mitigation Advisory Committee dated October 23, 2019
8. Memo re Region C – Possible Next Steps dated October 24, 2019
9. Letter re Mass Gaming & Entertainment LLC and Region C dated September 20, 2019
10. Public Comments re Region C 2019
11. 205 CMR 6.35 Amended Small Business Impact Statement (Draft)
12. 205 CMR 3.35 Final Draft Regulation

/s/ Catherine Blue
Assistant Secretary