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## Massachusetts Gaming Commission Meeting Minutes

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**Date/Time:** January 10, 2018 – 9:30 a.m.

**Place:** Massachusetts Gaming Commission  
101 Federal Street, 12<sup>th</sup> Floor  
Boston, MA

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

**Absent:** Commissioner Gayle Cameron

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

### **Call to Order (no transcript available)**

[9:30 a.m.](#) Chairman Crosby called to order the 232<sup>nd</sup> Commission meeting.

### **Approval of Minutes** See transcript pages

[9:31 a.m.](#) *Commissioner Macdonald moved to approve the minutes of the meeting of December 21<sup>st</sup> subject to any corrections, typographical errors, or other nonmaterial matters. Commissioner Stebbins seconded. Chairman Crosby noted that he would like his comments edited to reflect that he was in favor of reading the Excluded Persons List as a narrow list, but was agreeing that in the case of an extremely egregious act, he would be inclined to broaden the list. He also requested that language be added in the Junkets discussion to reflect whether or not it was appropriate to obtain all the names and background information of the customers of the junkets. Commissioner Stebbins requested that language be added in the IEB section regarding his introduction of the idea that not only kids left in cars, but seniors left in cars are to be considered as well. Motion passed 4 – 0.*

### **Administrative Update** See transcript pages

[9:33 a.m.](#)     **General Update:**

Executive Director Ed Bedrosian, Jr. introduced two new employees: Katrina Jagroop-Gomes - Chief Information Officer, and Crystal Howard - Program Coordinator for the Workforce, Supplier & Diversity Development Division.

Executive Director Bedrosian reported that he and General Counsel Seth Stratton of MGM toured the new MGM Springfield corporate offices at 95 State Street in Springfield. He stated that some staff members were now taking “Construction Training” which would enable them, with the appropriate training and safety gear, to be unescorted on property to monitor the setting up of the gaming floor and other aspects of the property. Director Bedrosian expects a minimum level of occupancy in the executive offices within the next 30 days. Gaming Agents are slated to be hired and trained in the spring.

**Research and Responsible Gaming – Mark Vander Linden**

See transcript pages

[9:45 a.m.](#)     Dr. Rachel Volberg, Social and Economic Impact of Gambling in Massachusetts (SEIGMA) Lead Researcher, UMass Amherst School of Public Health and Health Services presented on the Massachusetts Gambling Impact Cohort Study (MAGIC – Wave 2: Incidence and Transitions.

Dr. Volberg reported that to her knowledge, Massachusetts is the only jurisdiction/government anywhere in the world that has made the decision to move ahead with this particular type of study before an expansion of gambling has actually occurred.

Dr. Volberg stated that once a number of waves of data are obtained in this study, they will develop an etiological model of problem gambling, which will serve as a guide in developing problem gambling services in Massachusetts, and hopefully elsewhere in the United States and internationally.

[10:40 a.m.](#)     The study suggests so far that the incidence rate of problem gamblers may be higher in Massachusetts. In response to this potential finding, Dr. Volberg stated that substantial prevention resources may be needed well ahead of casinos opening to reduce the rate of “new” problem gamblers.

11:03 a.m.     The Commission took a brief recess.

11:09 a.m.     The meeting reconvened.

**Legal Division – Catherine Blue, General Counsel**

See transcript pages

11:09 a.m. Deputy General Counsel Todd Grossman presented the draft of the MGM Non-Disclosure Agreement (NDA), requested approval of NDA and that the Commission authorize the Executive Director Ed Bedrosian to sign the NDA on behalf of the Commission..

Counsel Grossman explained that the language in this NDA reflected the discussion in the previous Commission meeting where a request from MGM to protect certain information and categories of information were reviewed. Based on that discussion the NDA presented was, in form, the same or similar language used as in the case of the Plainridge Park Casino NDA, except in those cases where MGM, as a category 1 casino has different types of information.

Commissioner Stebbins asked that the Legal Division create templates that will provide efficiencies enabling all licensees to submit the same information into the same form. Counsel Grossman stated that they have started to discuss this and will work to implement this.

11:20 a.m. *Commissioner Stebbins moved that the Commission approve the Non-Disclosure Agreement as included in the packet between the Commission and Blue Tarp. Commissioner Macdonald seconded. Motion was approved 4 – 0.*

Counsel Grossman presented an updated version of the Enhanced Code of Ethics that incorporated a number of proposed amendments.

Counsel Grossman explained the deletion of almost all references to consultants in the Code. He stated that it was appropriate to leave the definition of “consultant” in the Code in order to draw a distinction between consultants and employees for purposes of understanding who the Code does apply to. Counsel Grossman stated that this change still allows the Commission to make the Code applicable to consultants by contract depending upon the nature of the work they would be doing.

Executive Director Bedrosian explained that when the Commission initially drafted the Enhanced Code of Ethics, consultants were performing a large amount of substantive work by performing investigations, etc. and were appropriately subject to the Code at that time. He added that the Commission, being a much more mature organization now, is hiring far fewer consultants and that the Commission will still retain the authority to require by contract that a consultant be covered by the Enhanced Code of Ethics. Chairman Crosby suggested that the Legal Division revise the Enhanced Code of Ethics to articulate a clear process when seeking advice from the Office of the General Counsel or their immediate supervisor when they have any questions regarding past, present or future conduct or the conduct of any other Commissioner or employee, or if they have any question regarding the applicability or meaning of any provision of the Code or any other restriction.

Chairman Crosby asked if the Commission was eliminating the issue of Commissioners being unable to solicit funds for non-profits. Counsel Grossman replied that he did strike that from the section in the draft to show what it would look like, but it was not an indication of a decision at this point in time. Counsel

Grossman stated that it is an issue that the Commission should address, as the level of concern on this has lessened over time

Executive Director Ed Bedrosian suggested that the Legal Division take one more pass at refining the Code to address issues raised by the Commissioners, and present the items to the Commission when Commissioner Cameron returns, and the Commission can vote on a final product then.

Commissioner Macdonald expressed that he would like to maintain section 15B, which is the section of the Code that states that a Commissioner may not solicit funds for any educational, religious, charitable, fraternal or civic organizations and not eliminate it, as suggested in the draft. Commissioner Macdonald stated that as the Commission is still at an early point in the enterprise of introducing gaming laws and regulations, there is a very high level of concern throughout the commonwealth about maintaining integrity. He asserted that this super-standard was an appropriate one that would distinguish the obligation of the Commissioners.

Chairman Crosby stated that he felt that 15B was too broad, and said that to have a blanket prohibition on raising money for non-profits that the Commissioners all serve on in a way that is emphatically not a conflict, does not seem appropriate. Chairman Crosby suggested editing this piece.

Executive Director Ed Bedrosian suggested more specifically that the Legal Division would clarify section 9C, and give options on section 15B and bring the Enhanced Code back for the Commission's consideration.

Commissioner Stebbins asked for the Legal Division to clarify in section 15B the guidelines surrounding acting as a speaker at an event that does not necessarily fall into a fundraising event category.

### **Commissioners' Updates**

See transcript pages

[11:46 a.m.](#) Commissioner Stebbins attended the Access and Opportunity Committee meeting, where licensees continue to focus on meeting their diversity goals. There is a great partnership that has evolved in these meetings in thinking about what will be done when the work at MGM comes to an end, and how their work will carry on afterward.

Chairman Crosby asked if there is a way for the Commission to do create some kind of a recommendation report, or case study where the origin of the diversity effort is discussed, what was accomplished, etc. and urge other state agencies and other building sites, private and public, to learn from this experience and perhaps adopt this model. Commissioner Stebbins stated that stakeholders were looking for opportunities to keep the legacy of the success of this moving forward in the process. Chairman Crosby suggested that the Commissioners work to publicize this case study.

Commissioner Stebbins stated that he attended another event at MGM Springfield: MGM Springfield has engaged a number of hospitality stakeholders in western Massachusetts, and has partnered with Cambridge College as well as Labor and Workforce Development who signed off on a Hospitality Apprenticeship program that kicked off that day.

11:52 a.m. *Having no further business, a motion to adjourn was made by Commissioner Macdonald. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

### **List of Documents and Other Items Used**

1. Notice of Meeting and Agenda, dated January 10, 2018
2. Massachusetts Gaming Commission Meeting Minutes draft, dated December 21, 2017
3. Massachusetts Gaming Commission Enhanced Code of Ethics draft
4. Massachusetts Gambling Impact Cohort (MAGIC) Study presentation Wave 2
5. Massachusetts Gambling Impact Cohort (MAGIC) Analysis Report
6. MGM Non-Disclosure Agreement for First Request dated December 17, 2018

/s/ Catherine Blue  
Assistant Secretary