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## Massachusetts Gaming Commission Meeting Minutes

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

**Place:** Massachusetts Gaming Commission  
101 Federal Street, 12<sup>th</sup> Floor  
Boston, MA 02110

**Present:** Interim Chairwoman Gayle Cameron  
Commissioner Enrique Zuniga  
Commissioner Bruce Stebbins  
Commissioner Eileen O'Brien

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



### **Call to Order**

See transcript page 1

[10:00 a.m.](#) Interim Chairwoman Cameron called to order public meeting #259 of the Massachusetts Gaming Commission.

It was noted that the Executive Session indicated on the meeting's agenda would not be taking place, as there are no litigation strategy updates for the Commission at this time.

General Counsel Blue advised the Commission that as requested by the judge in the Nevada litigation, the parties are continuing to work on an order for submission to the judge for her review, consistent with the judge's direction. She also noted that with a new Chair joining the Commission shortly, the Commission may wish to consider another executive session to further brief them all on litigation strategy. Counsel Blue added that any executive session after the Chair's arrival will be noticed as appropriate with the Open Meeting Law.

## **Approval of Minutes**

See transcript page 1 – 2

[10:02 a.m.](#) *Commissioner Stebbins moved to approve the minutes from the January 10, 2019 Commission Meeting, subject to correction for typographical errors and other nonmaterial matters. Commissioner O'Brien seconded the motion. The motion passed unanimously.*

## **Administrative Update**

See transcript page 2

### [10:02 a.m.](#) **General Update**

Executive Director Ed Bedrosian outlined the meeting agenda and noted that the new Chair has already started the transition process to the Commission.

### **Region C Discussion**

Director Bedrosian stated that he would like to wait until the new Chair is in place so that the full Commission can address matters regarding Region C. He also noted a new public comment from the Aquinnah Tribe will be added to this meeting's packet and posted online. This agenda item to discuss Region C will be re-posted with the appropriate notice for when the new Chair arrives.

## **Legal Division**

See transcript page 3

### [10:06 a.m.](#) **Final Draft Version of 205 CMR 146.00: Gaming Equipment and Amended Small Business Impact Statement**

The Commission reviewed the amendments to 205 CMR 146.00 and the corresponding Amended Small Business Impact Statement. The proposed amendments are in effect by emergency filing on and as of December 7, 2018. These amendments are administrative in nature, to make the language uniform with respect to the number of seats permitted at gaming tables.

[10:07 a.m.](#) *Commissioner Stebbins moved to approve the Amended Small Business Impact Statement for 205 CMR 146.00: Gaming Equipment, as included in the packet. The motion passed unanimously.*

*Commissioner Stebbins further moved to approve the draft version of 205 CMR 146.00: Gaming Equipment, as included in the packet, and authorize the staff to take all steps necessary to finalize the promulgation process. The motion passed unanimously.*

## **Racing Division**

See transcript pages 3 – 5

### **10:08 a.m. 2017 Suffolk Downs Unpaid Winnings**

The Commission reviewed the unclaimed winnings from calendar year 2017 at Sterling Suffolk Racecourse. Dr. Alexandra Lightbown, Director of the Racing Division reported that Chad Bourque, Senior Financial Analyst and Doug O'Donnell, Revenue Manager have previously reviewed the unclaimed winnings and determined that \$236,084.68 is payable to the Commonwealth of Massachusetts.

The Racing Division recommended that the Commission approve the payment of \$236,084.68 from Sterling Suffolk Racecourse to the Commonwealth of Massachusetts for 2017 unclaimed winnings.

**11:40 a.m.** *Commissioner Stebbins moved that the Commission approve the payment of \$236,084.68 of unclaimed winnings from Sterling Suffolk Downs to the Commonwealth of Massachusetts, as provided in the packet. Commissioner Zuniga seconded the motion.  
The motion passed unanimously.*

### **2017 Wonderland Unpaid Winnings**

The Commission reviewed the unclaimed winnings from calendar year 2017 at Wonderland Greyhound Park. Dr. Lightbown reported that Mr. Bourque and Mr. O'Donnell have reviewed the unclaimed winnings and determined that \$7,981.23 is payable to the Commonwealth of Massachusetts.

The Racing Division recommended that the Commission approve the payment of \$7,981.23 from Wonderland Greyhound Park to the Commonwealth of Massachusetts for 2017 unclaimed winnings.

**10:10 a.m.** *Commissioner Zuniga moved that the Commission approve the payment of \$7,981.23 of unclaimed winnings from Wonderland Greyhound Park to the Commonwealth of Massachusetts, as provided in the packet. Commissioner O'Brien seconded the motion.  
The motion passed unanimously.*

### **2017 Plainridge Racecourse Unpaid Winnings**

The Commission reviewed the unclaimed winnings from calendar year 2017 at Plainridge Racecourse. Dr. Lightbown reported that Mr. Bourque and Mr. O'Donnell have reviewed the unclaimed winnings and determined that \$186,705.64 is payable to the Commonwealth of Massachusetts.

The Racing Division recommended that the Commission approve the payment of \$186,705.64 from Plainridge Racecourse to the Commonwealth of Massachusetts for 2017 unclaimed winnings.

[10:11 a.m.](#) *Commissioner O'Brien moved that the Commission approve the payment of \$186,705.64 of unclaimed winnings from Plainridge Racecourse to the Commonwealth of Massachusetts, as provided in the packet. Commissioner Stebbins seconded the motion. The motion passed unanimously.*

### **2017 Raynham Unpaid Winnings**

The Commission reviewed the unclaimed winnings from calendar year 2017 at Raynham/Taunton/Massasoit Greyhound Associations. Dr. Lightbown reported that Mr. Bourque and Mr. O'Donnell have reviewed the unclaimed winnings and determined that \$150,144.70 is payable to the Commonwealth of Massachusetts.

The Racing Division recommended that the Commission approve the payment of \$150,144.70 from Raynham/Taunton/Massasoit Greyhound Associations to the Commonwealth of Massachusetts for 2017 unclaimed winnings.

[10:12 a.m.](#) *Commissioner Stebbins moved that the Commission approve the payment of \$150,144.70 from Raynham/Taunton/Massasoit Greyhound Associations to the Commonwealth of Massachusetts for 2017 unclaimed winnings, or outs. Commissioner O'Brien seconded the motion. The motion passed unanimously.*

Dr. Lightbown stated that Mr. Bourque will send an official letter out to the tracks requesting the aforementioned amounts, and the tracks must remit the funds before April 1, 2019. Once the funds are received by the Commission, the funds will be transmitted to the purse accounts for each individual track. Funds for greyhound tracks will be transmitted to the Greyhound Stabilization Fund.

### **Finance Division**

See transcript pages 5 – 8

[10:13 a.m.](#) **FY2019 Massachusetts Gaming Commission Mid-Year Budget Review**  
CFO Derek Lennon directed the Commission to page two of the memo he submitted to the Commission and clarified that "H.H. GameSense, \$144,418" should be deleted and replaced with "J.J. Public Safety Everett, \$807,000". The total of \$1.17 million is correct and corresponds with the overview summary chart on page one.

CFO Lennon, with Finance and Budget Office Manager Agnes Beaulieu, recommended that \$3.1 million in additional costs be added to the FY19 approved budget. He reported that there is now a revised budget of \$36.5

million for the Gaming Control Fund due to regulatory and statutory required costs of opening another Category 1 casino.

With the implications of this revised budget to the licensees, Mr. Lennon stated that the staff has committed to revising the number of gaming agents needed, and has omitted the GameSense costs. Staff has also committed to have ongoing discussions as well as conduct lookbacks with the licensees to identify regulatory and public safety efficiencies.

Executive Director Ed Bedrosian reported that he has had separate conversations with the licensees regarding the revised budget. He proposed conducting a risk assessment as to how the Commission is regulating the facilities, what the Commission's risk tolerance is in terms of staffing levels, and other related matters.

CFO Lennon requested the Commission's approval to increase the Gaming Control Fund budget to \$36.5 million (a \$3.1 million adjustment) and increase the licensees' assessments by \$2.24 million. He also requested approval to adjust the assessment calculation for the second half of the year by utilizing MGM Springfield's current gaming positions.

[10:27 a.m.](#) *Commissioner Zuniga moved to approve the additional assessment on licensees of \$2,248,797.00, as provided in the packet. Commissioner O'Brien seconded the motion.  
The motion passed unanimously.*

### **Commissioner's Updates**

See transcript pages 8 – 10

[10:29 a.m.](#) Interim Chairwoman Cameron stated that she was involved in a conference call with the planners of an annual gaming conference in London. They are coming to Boston in early May, and will be focusing on sports betting and other topics, and they are involving the Commission. There will be Commission staff speaking at the conference and serving on panels.

Commissioner Zuniga and Commissioner Stebbins were at MGM Springfield, separately observing activities in an effort to better understand gaming agents' duties. Commissioner Zuniga stated that he will be going to Plainridge to observe activities there as well, and will report back when appropriate.

Commissioner Stebbins added that he met with the senior supervisor of gaming agents at MGM Springfield, and that it was a good opportunity to hear about processes and procedures that are engrained in the Commission's regulations and see how our licensee continues to try to comply.

10:34 a.m.     *With no further updates, Commissioner Zuniga moved to adjourn.  
Commissioner Stebbins seconded the motion.  
The motion passed unanimously.*

**List of Documents and Other Items Used**

1. Notice of Meeting and Agenda, dated January 10, 2019
2. Draft Commission Meeting Minutes, dated December 20, 2018
3. Memo dated January 8, 2019 RE: Gaming Service Employee (SER) Exemptions: Encore Boston Harbor
4. PowerPoint Presentation – Encore Boston Harbor, dated January 10, 2019
5. Encore Boston Harbor Quarterly Report as of September 30, 2018
6. Memo dated January 7, 2019 RE: Local Aid Distribution
7. Memo dated January 7, 2019 RE: Sterling Suffolk Racecourse Unclaimed Ticket (“Outs”) Payments for 2017
8. Memo dated January 7, 2019 RE: Review of Suffolk Downs Payments from 2017 Outs Book
9. Letter from Suffolk Downs dated January 4, 2019 RE: Commission Ruling
10. Memo dated January 10, 2019 RE: Fiscal Year 2019 (FY19) Mid-Year Budget Review
11. FY19 Actuals – Spending and Revenue Chart

/s/ Catherine Blue  
Assistant Secretary