

MASSACHUSETTS GAMING COMMISSION
MEETING
JANUARY 23, 2020
10:00 A.M.

CONFIDENTIAL
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>> CHAIR JUDD-STEIN: We're calling to order today Commission meeting number 287 of the Massachusetts Gaming Commission --

>> COMMISSIONER ZUNIGA: Microphone.

>> CHAIR JUDD-STEIN: I'm sorry. Is it not on? Oh, my apologies. Good morning. We're calling to order Commission meeting number 287 of the Massachusetts Gaming Commission on Thursday, January 23rd, at 10:00 a.m. at the Massachusetts Gaming Commission offices here at 101 Federal Street in Boston. We'll begin with item number 2. Commissioner Stebbins, please.

>> COMMISSIONER STEBBINS: Thank you. Good morning. In your packet, you have some of the revised and updated minutes from the December 19th, 2019, meeting. We had made some updates and some additional notes within those minutes I believe around the discussion around sealed records. I would move their approval subject to correction for any typographical errors or any other nonmaterial matters.

>> COMMISSIONER O'BRIEN: Before we move on to that if I could just suggest one additional edit. I had asked if you go to page 2, I had asked if some of my questions and concerns be more explicitly raised in the minutes. Some of them are. The only other area I would ask is just before the 10:33 a.m. entry that talks about Director Wells going through the IEB process. If you could just be reflected that she did that at my request. A sentence to the effect of Commissioner O'Brien asked Director Wells to detail for the record the IEB process regarding open source materials and then the possible later discovery of sealed record materials.

>> COMMISSIONER STEBBINS: We can incorporate that language. If you have it written down, we can share it with Shara and include those in the minutes.

>> COMMISSIONER O'BRIEN: Great.

>> COMMISSIONER ZUNIGA: That makes me feel a little better because I had some additional edits, and I was reminded that we have done this not once. But where it says -- where I start at 11:08 on the discussion of Region C, I think that sentence is a summary, but I would like to just introduce what I remember talking about, which was some of the history of this region which included a lower capital investment, and that was some of the discussions that happened there. As well as perhaps later in that

timeframe, a point that I made that ultimately this will be a judgment call. There should be no impression that any answers to the questions on an RFI or otherwise are going to make it any easier for us to decide to open this region or not, that the best indicator that there might be a market is the willingness of an experienced operator to put up money for it. Which are points I made in that.

>> CHAIR JUDD-STEIN: Does it make sense, then, for us to table this matter and have Shara go back to the transcript and maybe look -- and we don't always ask for this kind of detail. We appreciate that there has to be some judgment around that, but it sounds as though you'd like to incorporate that --

>> COMMISSIONER ZUNIGA: Yes.

>> CHAIR JUDD-STEIN: -- in the minutes more formally. And so if we could go back to our transcript, which is, of course, available to the public always and look at that?

>> COMMISSIONER ZUNIGA: Yeah. I'll help you, Shara. I think it was a long diatribe, if you will, but it's two key ideas that I wanted to --

>> COMMISSIONER CAMERON: You wouldn't do that.

>> COMMISSIONER O'BRIEN: It was a lengthy meeting that day.

>> COMMISSIONER ZUNIGA: It was a lengthy meeting is my point. And the idea is not to recreate that.

>> COMMISSIONER STEBBINS: We can't amend the language. We're going to incorporate language.

>> COMMISSIONER ZUNIGA: No, it's really to extract the two main ideas, and I think those are the two ones.

>> COMMISSIONER STEBBINS: Okay.

>> CHAIR JUDD-STEIN: That was getting to my point. You can't necessarily always do the entire --

>> COMMISSIONER ZUNIGA: Right.

>> CHAIR JUDD-STEIN: -- our entire comments. But in this case it sounds as though that is important for this topic.

>> COMMISSIONER ZUNIGA: Yes.

>> CHAIR JUDD-STEIN: To get in our written record as well as our transcript. So as well as Commissioner O'Brien's point. So we'll table again, and we'll bring them back. Thank you, Shara. And, of course, our minutes are already very comprehensive, so thank you. Anything else that we need to mention on those right now? Okay. Thank you, Commissioner.

>> COMMISSIONER STEBBINS: All right. I'm a little hesitant, but I'll move forward and ask the approval for the January 9th, 2020, meeting minutes which are included in your packet, as always, subject to any typographical errors or any other nonmaterial matters.

>> COMMISSIONER CAMERON: Second.

>> COMMISSIONER ZUNIGA: Can I offer -- this is a small edit. On page 2, when we're, again, talking about the Region C RFI, the second to last paragraph where I opine that there is a definite possibility that the RFI will result in a market study. I suggest we continue that sentence to say, but it's not a foregone conclusion. Again, this reflects the notion that it's still, at least in my mind, a judgment call as to even whether to conduct a market study. So the sentence would read, "will result in a

market study, but it's not a foregone conclusion."

>> CHAIR JUDD-STEIN: Any other suggested edits? Okay. With that amendment, do we have a second?

>> COMMISSIONER O'BRIEN: Second.

>> COMMISSIONER ZUNIGA: Yes.

>> CHAIR JUDD-STEIN: All those in favor?

[Vote taken]

Opposed? 5-0. Thank you.

Okay. Moving on to our third item on the agenda, the administrative update from our Interim Executive Director, Karen Wells.

>> MS. WELLS: Good morning, Madam Chair, members of the Commission.

>> COMMISSIONER STEBBINS: Good morning.

>> MS. WELLS: There's just a few things I'd like to just bring to your attention this morning. One, I know you're aware, but I just wanted to highlight the racing bill did pass. That was signed on January 13th. That is significant because the previous law which was the Chapter 47 of the acts of 2019 extended the authorization for racing and simulcasting with January 15th, so they made it with two days to spare. This extension authorizes racing and simulcasting through July 1st of 2020. So that will give the legislature and interested parties an opportunity to work out what they want to do going forward.

Just one interesting aside is that the bill became Chapter 1 of the acts 2020. So I thought that was notable.

>> COMMISSIONER ZUNIGA: Easy to remember.

>> MS. WELLS: Yes. The other thing I wanted to mention to the Commissioners, just something that's going on within the agency, is the PlayMyWay rollout at EBH and at MGM, pursuant to an MOU with the operators, they had signed an MOU in September of 2018 indicating that the rollout of the program at the two resort destination casinos was scheduled for September 20th. We are currently on track to meet that deadline. The gaming lab and the I.T. team is working closely with both IGT and EBH and MGM to implement the program. They're in the process of completing the connection to the IGT advantage system with PlayMyWay. And once the team completes the connection, the gaming technical compliance team will begin testing. We estimate it will take two to three weeks to complete. So I spoke with Scott. That is something that they'll have the testing and they'll be working in the lab. If any of the Commissioners want to check that out or see how the testing is being implemented, I can recommend checking with Scott to see, you know, a good time and go in there and see how it actually is working and the testing. Because it is very interesting. It is a really significant accomplishment by this Commission and the partners at the casinos and through IGT, and it's been a very successful program. So if you have any questions on that, you can speak to either, you know, Mark, Katrina, Scott or myself, and we can give you further updates. But I just wanted to highlight that that was going on, and it's something that's on track for that implementation date of September of 2020.

>> COMMISSIONER ZUNIGA: Can I mention just one thing?

>> MS. WELLS: Yep.

>> COMMISSIONER ZUNIGA: And this is something I have told -- I have spoken

with Scott and Mark, but it's something I look forward to when I take up on their suggestion of looking at the testing. And that is that we were assuming and we are requesting that there will be some ability to configure that new platform?

>> MS. WELLS: Mm-hmm.

>> COMMISSIONER ZUNIGA: And perhaps for others. The initial platform PlayMyWay in Plainridge was rolled out, and it's -- shall we say it's set. There's no ability to now change, unless we undertake a major software re-effort, there's no ability to, let's say, change some of the way some of the questions are asked. Since then we've learned a number of things about what people struggle with when they're signing up and what people like and some of the features. And the overall -- the catchall, the lesson learned, in my view, was so long as we had the ability to configure some of the new platform, it was going to be very helpful. So before -- I think those were the marching orders, if you will. That was the understanding.

>> MS. WELLS: Yeah.

>> COMMISSIONER ZUNIGA: It's just something that I think we should check.

>> MS. WELLS: Okay. The other thing I just wanted to highlight for the Commission, because sometimes, you know, things go on and there's operations you may not be intricately aware of. And one thing that just I noticed, this is more the IEB hat that I'm wearing, we have had a really successful partnership with another state agency in DOR. So as you may be aware, when applicants are evaluated for suitability, there's a financial integrity component to that. And one thing that we look at is, you know, have you been paying your taxes? Are you complying with that? And when we did the opening for PPC, a lot of the troopers did a lot of the work on that and checking with DOR and making sure that was appropriate.

Since that time -- so in 2016, DOR implemented a program where you could go online and get a certificate of good standing with DOR, which has been effective for us, and I would suggest also for the applicant and the Commonwealth in how this is being implemented. It's more efficient for us because we asked for a certificate of good standing on the front end. So as far as efficiencies and timing, as far as turnover for the investigations, that was extremely helpful. When there were issues to work out with DOR, it would take the state police a long time sometimes to figure that out, so now it's done on the front end. And the way that DOR has implemented it is that they really work with the applicant to move a path forward. So it's not as if you have to pay everything all up front all right away in order to get your job. They just enter -- you know, if you've got a deficiency or there's a problem, they work out a program, so even if you're paying a small amount, as long as you're working towards it, they will give you the certificate of good standing. So it helps the Commonwealth because if there's money that needs to be collected, it's done, but you get the person the job instead of saying nope, can't get the job, you know, you've got this problem.

So it's just a win-win all around. And a lot of times -- you know, we hear about programs that are implemented, especially online or technical things that may have bugs in them or problems, but this one really worked out very well, as far as the rollout. I myself went in to test it. It was minutes for me to just get the certificate of good standing. So that's been a helpful thing. And plus, the applicant can get assistance to work out how they want to resolve this, particularly with, you know, a lower-level employee that might need some help. It's something that now is not a barrier to entry

for the jobs. So that's been just something I wanted to highlight for the Commission. It seems to coincide with the Commission's directive, yes, we want to protect integrity, but we want to get people to work. So that was something I just wanted to mention.

And also commend DOR because the program really rolled out well, and for us, and I think other state agencies are using it as well. So it's been a success. So I just wanted to highlight that for you because that may not be something you know about, you know, in your day-to-day operation as Commissioners.

>> COMMISSIONER CAMERON: That's really good news.

>> MS. WELLS: Yeah.

>> COMMISSIONER CAMERON: Obviously. And I like when state government cooperates with one another.

>> MS. WELLS: Yep. Yep.

>> COMMISSIONER CAMERON: Did we make the suggestion that this would be helpful or they --

>> MS. WELLS: No. They worked on it -- they had already been in process.

>> COMMISSIONER CAMERON: Oh, they had.

>> MS. WELLS: Something like that. It was a big undertaking. And it worked out really well.

>> COMMISSIONER CAMERON: Great.

>> MS. WELLS: I don't know if there's any other comments on that.

>> CHAIR JUDD-STEIN: I appreciate your bringing this to our attention and to the public's attention because it is a collaborative effort. There's a lot of collaboration. I also like that you mentioned how internally the PlayMyWay project really is, you know, it's originated by our statutory obligation, implemented by the expertise of Mark.

>> MS. WELLS: Right.

>> CHAIR JUDD-STEIN: But, you know, it takes the entire team.

>> MS. WELLS: Right.

>> CHAIR JUDD-STEIN: And so thank you for bringing that up.

>> MS. WELLS: The other thing just to put on your radar screen and also to remind the public is that January 31st is the deadline for the Community Mitigation Fund application. So just another reminder for anyone that's out there listening or is going to watch the video and just for yourselves to be aware that that's coming down the pike. So I just wanted a reminder on that.

And then as far as going forward on these administrative updates, we've had some discussion about what you'd like to see. One thing we talked about is sort of highlighting things in the different divisions. And I've spoken to Katrina about the I.T., so the CIO giving just some information and sort of a briefing on what's going on in their shop. So my expectation is that will be at the next meeting. So I don't know if the Commissioners have any other comments, other things they'd like to see or other information they'd like for me as the Interim Executive Director, but I'm happy to accommodate any requests for any information you'd like to see at these meetings.

>> COMMISSIONER CAMERON: That will probably be a work in progress.

>> MS. WELLS: Yeah.

>> COMMISSIONER CAMERON: Thank you.

>> MS. WELLS: And we can speak offline, too. Okay. Okay.

>> CHAIR JUDD-STEIN: In our agenda-setting meeting, of course, is a public

meeting, and it was very, very versed last week, so thank you for that, too.

>> MS. WELLS: So that concludes my general update. If you have any questions, I'm here to answer them.

>> CHAIR JUDD-STEIN: Before we turn to your update on the Region C matter, I just want to point out that this is a matter that we've been addressing since the fall in different fashions. You know, the Gaming Commission is privileged because we have such a thoughtful, comprehensive law that the legislature crafted and the Governor passed -- Governor Patrick passed in 2011 that really serves as a roadmap. It's thoughtful and it's thorough.

Our obligation is to meet those obligations and to fulfill our statutory and, quite frankly, our fiduciary responsibilities. Our obligation with respect to Category 1 license in Region C is really twofold. We'd have to consider, of course, the interests of and the impacts on Region C, and we also have to consider the interests of and impacts on the Commonwealth. It's a complex matter. And so we have asked for some guidance from the public and stakeholders and interested parties through perhaps an issuance of an RFI and the issuance of a request for public comments.

We do that because in order to do our jobs, we know we have to be as informed as we can be. We make no presumptions about our own expertise. You know, what better way to become informed about such an important matter than to reach out to all the public members who have an interest and the experts that we know could respond and make sure that any action we take is an informed action. There may be folks who believe that our decision-making process, which might include the issuance of the RFI today, is process that's unnecessary, cumbersome, and is time consuming. I don't speak for my fellow Commissioners. They can chime in. But I do speak from what I understand our responsibilities are, and that is due diligence that would be done in other setting. And so it is not simply time-consuming process. It is thoughtful and it would be the proper information gathering that one would do in any other setting, the due diligence that's required to make an informed decision.

So I just set that stage and offer any insight. You may want to offer now, or we'll wait for your presentation. But we are today at a certain decision-making point and one which we understand also the need to be deliberate, but that doesn't mean slow. That means deliberate, careful, methodical, smart. Any comments? Suggestions?

>> MS. WELLS: Okay. So I'll go ahead. So one matter for the Commission's consideration this morning, so staff has been working with the Commissioners with their input from the last meeting to draft an RFI proposal to be posted as a preliminary matter. I really would like to thank Attorney Grossman, Derek Lennon, John Ziemba and Mary Thurlow to make sure that the Commission's comments were incorporated, the whole document made sense, and they really came together and were a good team. Again, you know, emphasizing teamwork and different parts of the agency working together on a project. This is another good example.

So the document is in your packet. I know you've had a chance to review it. We do have -- you know, we have the introduction which sort of lays out, you know, what the Commission is looking at, so the landscape there. It gives an overview of Region C, the proposed questions that we are looking for answers to in response to the RFI, and then sort of the administrative process to respond. So at this point, if the Commissioners have any comments or any changes you'd like to make, we can make

those. And hopefully if the Commission's comfortable, we have a limited number of changes and we don't need to come back before the Commission, you could vote on it today with the scrivener's provision that we could, you know, make small alterations. But that would be the expectation. If you're comfortable with this or some minor changes, we could go forward with the process and then issue the RFI. But it's up to the Commission how comfortable they are with the document.

>> COMMISSIONER STEBBINS: I would just say -- I'm happy to take the step we need to take to move ahead and issue this RFI. Just a quick note. Obviously, Commissioner Zuniga gave some very detailed questions. I like how you were able to fold them in underneath our broader questions. For me, just reviewing it again last night, and it's really just a wordsmithing suggestion, but on page 7, question 9, it says "given the context of the Massachusetts gaming market, when would be the best time," instead 4, I would just say when would be the best time to conduct a Region C market study. So simple wordsmithing more than anything else, but I think the rest of it looks good.

>> MS. WELLS: Any objection to that edit?

>> COMMISSIONER CAMERON: Makes sense.

>> MS. WELLS: Best time to conduct. Okay. We can issue that.

>> COMMISSIONER ZUNIGA: I did have an edit on page 3.

>> MS. WELLS: Yep.

>> COMMISSIONER ZUNIGA: At the end of -- towards the end of the page.

>> MS. WELLS: Yes.

>> COMMISSIONER ZUNIGA: The total capital investment of those three licenses -- and we're talking about two Category 1s and one Category 2 -- resulted in a total of -- the amount is actually \$3.85 billion.

>> CHAIR JUDD-STEIN: I think that was clarified, yeah.

>> MS. WELLS: I don't know if Mr. Ziemba is in the room.

>> CHAIR JUDD-STEIN: Mr. Ziemba is in the back of the room.

>> MR. ZIEMBA: I'm pretty sure Joe went through all of the investment accounts (away from mic) we can go over that figure. I guess I don't think it would be material to the document, we can come to an understanding of what that final figure is (away from mic).

>> COMMISSIONER ZUNIGA: Okay. Okay. Fair enough.

>> CHAIR JUDD-STEIN: I think that you're right. It was changed. It was the 3.8 that we've seen, but there was some methodology that the team applied.

>> COMMISSIONER ZUNIGA: The costs that are excluded from the minimum capital investment.

>> CHAIR JUDD-STEIN: Yeah.

>> COMMISSIONER ZUNIGA: Fair enough.

>> CHAIR JUDD-STEIN: As long as Commissioner Zuniga is comfortable.

>> COMMISSIONER ZUNIGA: No, that's fine.

>> MS. WELLS: You're comfortable?

>> COMMISSIONER ZUNIGA: Yeah.

>> MS. WELLS: Okay, good.

>> COMMISSIONER ZUNIGA: Maybe we can just footnote that this excludes certain costs that we have decided to exclude.

>> CHAIR JUDD-STEIN: That's a good idea.

>> COMMISSIONER ZUNIGA: Either as a footnote or not.

>> MR. ZIEMBA: (Away from mic).

>> COMMISSIONER ZUNIGA: Sure.

>> CHAIR JUDD-STEIN: And I would be comfortable with any kind of a clarifying footnote, if you'd like that, if that makes good sense.

>> COMMISSIONER ZUNIGA: Yeah, yeah, yeah. No. I'm glad there was that thought, too reconcile that.

>> MS. WELLS: Okay.

>> CHAIR JUDD-STEIN: Any other suggestions or edits? I guess the one thing that's outstanding is the timeframe. I think that we don't probably need to nail down exact dates today, but I do think at one point certain -- or a number of months that were suggested that might be required to conduct the RFI. I think I messaged to Mr. Lennon at the time that seemed like a long time. So, you know, we want to make sure we give enough time to make it a productive response because some of these questions are very substantive in nature. I mean, I defer to our team. You know, Derek and everyone else who would be working on the RFI and issuing it to think about those dates, but I suspect you can get input from the fellow Commissioners as appropriate.

>> MS. WELLS: Okay.

>> CHAIR JUDD-STEIN: On it. My hope is that we're aware of it needing to be timely.

>> MS. WELLS: Okay. So there are any outside parameters -- I mean, obviously we don't want this document out for a year, but is there any general guidance you want to give now, or we should just consult with you individually and you're directing us to come up with the time of the submission deadline?

>> COMMISSIONER O'BRIEN: Does anyone recall what the best practice or the typical practice time line was that Derek had suggested?

>> COMMISSIONER ZUNIGA: I was going to say there's a 45-day in my mind timeframe that usually applies for RFRs, I believe.

>> CHAIR JUDD-STEIN: An RFP? RFI? This is an RFI, so --

>> COMMISSIONER ZUNIGA: Yeah. There's no necessarily guideline but, you know, 45 days, that's in my view as some kind of, you know, anchor for us.

>> COMMISSIONER O'BRIEN: Okay.

>> COMMISSIONER ZUNIGA: If I recall, that 45 days is for -- to comply with World Trade Organization best practices. Do you recall that?

>> CHAIR JUDD-STEIN: I don't know if that necessarily applies to an RFI.

>> COMMISSIONER O'BRIEN: Just where it came from.

>> COMMISSIONER ZUNIGA: I'm just throwing out a framework that might be guiding.

>> CHAIR JUDD-STEIN: Instinctively, given my experience, you know, I'd say four to six weeks would be probably enough time to get meaningful responses.

>> COMMISSIONER ZUNIGA: Which is 45 days.

>> CHAIR JUDD-STEIN: 45 days is not outside that.

>> COMMISSIONER ZUNIGA: Mm-hmm.

>> CHAIR JUDD-STEIN: Derek may say it could even be shorter, but I don't know without Derek being here.

>> MS. WELLS: Okay. I'll consult with the team, and then we can just check in individually to see if there's any problems.

>> COMMISSIONER O'BRIEN: I think if we move forward on the assumption that 45 days is the jumping off point and do you make it any shorter. Yeah, that's really the question.

>> MS. WELLS: All right. That's helpful. That I can work with the staff and come up with a good date. So that's extremely helpful.

>> COMMISSIONER STEBBINS: I would just add, I think, you know, having a dynamic communications plan around this, I mean, us just putting it out on COMMBUYS may not get the attraction of the people that we want to see it. But obviously making folks aware of it either through gaming industry media or what have you, I think, might attract a little more attention than just saying it's going to be up on COMMBUYS.

>> MS. WELLS: Got it. That makes sense. All right. We'll implement that. So given there's only two edits, if the Commission votes on this today, I expect this will be up shortly.

>> CHAIR JUDD-STEIN: Should we vote on the two documents together? I have one comment on the request for public comments. That's on the next section.

>> MS. WELLS: Well --

>> CHAIR JUDD-STEIN: Or do you want to separate? If I can make a suggestion, why don't we discuss the public comments and then you can decide whether or not you want to make the vote together or separately.

>> CHAIR JUDD-STEIN: Exactly. Yeah.

>> MS. WELLS: Okay. That sounds good. So as you see in your packet pursuant to ongoing conversations with feedback from the last meeting, right now we have the suggested five questions in the format you see in your packet. If you have any further suggestions or comments or additions or deletions, we can do that now and then make a decision on whether or not to post that simultaneously with the RFI or timing wise what the Commission wants to do.

>> CHAIR JUDD-STEIN: I just wanted to point out one thing, is I had asked -- one, two, three -- the fourth bullet to shift to the RFI. The fact that it's duplicative is okay, too, but I just wanted to point out I thought it was more technical and maybe should be in the RFI. I just wanted to mention in case you had missed it in the RFI.

>> MS. WELLS: Okay.

>> COMMISSIONER STEBBINS: Yeah. I had that same thought. Question number 4 does appear currently in the RFI and, you know, obviously we invite residents of Massachusetts to comment on anything they want to, but it seemed to me to be more of a technical question which may be more properly addressed by somebody in the RFI.

>> COMMISSIONER ZUNIGA: Yeah, I agree. Especially the notion of obtaining financing. If it was at least broader, you know, but I think the other questions address --

>> CHAIR JUDD-STEIN: The broader one, exactly.

>> COMMISSIONER ZUNIGA: The other ones.

>> COMMISSIONER O'BRIEN: No, I would agree with that. And just from a consistency standpoint, just enumerating them instead of just the blank bullets just so we can make a reference back to what the person is giving comment on is going to be easier for us.

>> MS. WELLS: Okay. That's good.

>> COMMISSIONER CAMERON: Makes sense.

>> MS. WELLS: Okay. So we'll take out question 4. That's easy. That's basically incorporated in --

>> COMMISSIONER CAMERON: It's a duplicate.

>> MS. WELLS: In the RFI. Okay. Any other comments?

>> COMMISSIONER STEBBINS: Yeah. Just one. And Karen, you and I talked about this this morning. Question number 5 or the last bullet. I think that's a question that we ourselves should answer. I think we've all expressed a willingness, kind of keeping with our tradition of transparency that we would conduct a public hearing. We already know that if we were to move to an application process, we'd have a surrounding community and a host community agreement -- or host community public hearing. But, you know, I would say we answer that question for ourselves. We do agree that we would hold a public hearing prior to reopening Region C. You know, and the timing for that, maybe when we get feedback from an RFI or if we go to the RFR process. But I would say we answer that for ourselves. I think we commit ourselves to having a public hearing again, question of time.

I would like to also suggest adding a question, and it's more of a wrap-up question at the end would be what other factors or issues do you think the Commission should consider or address if Region C is reopened for a commercial gaming license?

>> COMMISSIONER CAMERON: That's a good idea, because it doesn't -- it may not fit into one of the questions asked, so that wrap-up question I like. I agree, we've always had public hearings in advance of any major decision we make. So I'm supportive of your suggestion.

>> COMMISSIONER STEBBINS: Okay. I just expect the public may tell us the answer that we -- we all likely would be willing to do anyways.

>> COMMISSIONER CAMERON: I think we'd have to be strategic on where we have it because we didn't -- we wouldn't want it in --

>> COMMISSIONER ZUNIGA: Are you suggesting we conduct a hearing, a public hearing, to see if we reopen the region or not? Because what we've had in the past are public hearings after we had received applications. So we had already opened the bidding. We have done a lot of suitability and a vote and et cetera, et cetera. Frankly, those were dictated by statute. I am not sure that a public hearing as to whether to reopen the bidding may be a foregone conclusion. I just wanted to note that that's the difference from the past.

>> COMMISSIONER STEBBINS: I only recommend we have a public hearing prior to making a decision, and at the same time we might have information we can share with the public that we glean from the RFI process or glean from the RFR process.

>> COMMISSIONER ZUNIGA: That's fine.

>> COMMISSIONER STEBBINS: I'd leave it up to a question of timing. I'm just thinking we don't need to include the question if some strategy we would have a hearing.

>> COMMISSIONER CAMERON: Yeah. It is a little bit different, but I think the region than a little bit different than the others. So any opportunity to get public input, I think, is a good thing.

>> COMMISSIONER ZUNIGA: That's fine.

>> COMMISSIONER O'BRIEN: And I do think it was contemplated more contextually with either results from an RFI or a draft or something like that to be part of an agenda that possibly then we would have, as we've done in the past, maybe down in Plainville so that there was sort of a geographic access point for people in Region C closer to here if there was some reason, an opportunity, to have public comment at that point. But I agree with you. It doesn't necessarily need to be open to public comment now in what we're putting out.

>> CHAIR JUDD-STEIN: I actually think it's a very good point because I do believe we anticipate -- anticipated, if we decide to proceed through whatever direction we give ourselves or through the information we receive from the public was to probably go to Region C to learn more just so that folks who may not answer questions in writing have easy access to us. So I think that's a really -- a good insight. And from Commissioner Zuniga's input, it looks like we do have some strategy questions to think about.

And in terms of the last point, it's more sort of perspective, and I think that's fine, too. I think there's a counterquestion, one of the questions we have to consider if we didn't, too, but I think that's captured enough in the RFI, you know, what are the implications of both decisions.

>> COMMISSIONER STEBBINS: I know we also need to figure out a deadline for comment and submission. Obviously, we take comments or submissions at any time, but it may make sense to align it with the RFI deadline for the time being.

>> COMMISSIONER O'BRIEN: I agree.

>> COMMISSIONER STEBBINS: We can always extend it.

>> COMMISSIONER CAMERON: Agreed.

>> CHAIR JUDD-STEIN: And it can even be explained because Bruce has brought up the point we always welcome input. Because we are seeking parallel information pursuant to our request for information. And then we'll have aligned input. Any further suggestions with either document? And unless Mr. Grossman objects, we could consolidate a vote on both documents?

>> MS. WELLS: Just to clarify, my understanding is the Commission seems to be in agreement that we keep questions 1, 2 and 3, take out questions 4 and 5, and add the question at the end, what other factors or issues do you think the Commission should consider or address if Region C is reopened for a commercial gaming license. And then we'd number the questions. Is that a fair assessment? Good.

>> COMMISSIONER O'BRIEN: If we reopen or whether to reopen?

>> CHAIR JUDD-STEIN: If.

>> COMMISSIONER STEBBINS: I have if Region C is reopened.

>> CHAIR JUDD-STEIN: So that's why it was more perspective as opposed to whether. See, number 1 is should we reconsider reopening.

>> COMMISSIONER O'BRIEN: Okay.

>> CHAIR JUDD-STEIN: So then what happens. And my point was there's actually implications for action and inaction. So do you want to amend that --

>> COMMISSIONER O'BRIEN: No, no, I'm fine with that.

>> CHAIR JUDD-STEIN: I'm fine with that perspective.

>> COMMISSIONER ZUNIGA: Yeah, the whether is already addressed.

>> MS. WELLS: Factors if the Commission decides to reopen.

>> COMMISSIONER ZUNIGA: Yes.

>> MS. WELLS: Okay.

>> CHAIR JUDD-STEIN: Any further questions? Discussion? Clarifications? Do we have a motion?

>> COMMISSIONER STEBBINS: Madam Chair, I'd move the Commission move forward with the posting of the version of our request for information, RFI, and request for public comment as included in the Commissioners' packet and as amended and discussed here today.

>> COMMISSIONER ZUNIGA: Second.

>> CHAIR JUDD-STEIN: All those in favor?

[Vote taken]

Opposed? 5-0.

>> MS. WELLS: And that would include the scrivener's provisions for any edits.

Thank you.

>> COMMISSIONER ZUNIGA: Yes.

>> CHAIR JUDD-STEIN: Of course. Thank you so much.

>> COMMISSIONER ZUNIGA: It's in the motion.

>> MS. WELLS: Thank you.

>> CHAIR JUDD-STEIN: And thank you to everyone for the work on that, including Mary who I don't see here, but not surprisingly, Mary was involved, so thank you.

>> MS. WELLS: Yes.

>> CHAIR JUDD-STEIN: Okay. Moving on to item number 4. We have Ms. Wells and in her other role along with my fellow Commissioners O'Brien and Commissioner Zuniga on a very important matter with a June deadline, the license renewal process for Plainridge Park Casino.

>> MS. WELLS: So I generally will turn this over to Commissioner Zuniga for a briefing on this from the IEB's perspective, licensing has gone forward with the renewal process on the suitability provision. So that's in process where Mr. Curtis is working with Loretta Lillios on that and has connected with the licensee on that process. So that's moving forward.

>> COMMISSIONER ZUNIGA: Yeah. Let me just -- perhaps we can do a little tag team here, if I omit or summarize too much -- some of the steps here along with Commissioner O'Brien and John, if we can all talk about this. But you should all have received -- should have received a memo that came from Todd in terms of describing some of the process. It is not included in the packet, but I'll speak to some of the general ideas that are a part of that.

And that is, in general, that we will begin to form a record by requesting of PPC a number of documents and reviewing some documents and aspects on site. Really that process already started, as Karen was saying with the suitability update and review. There's some additional qualifiers, and that has already started. John and the team has proposed that the staff start meeting with PPC on a monthly basis. That first meeting would probably -- they are looking to try to effectuate by either next week or shortly after. And that is really to go through the aspects that are going to be reviewed. In general, I will summarize as compliance review, and that has any number of different aspects and topics towards that and an examination of the commitments that PPC has done and how that has -- those commitments have been accomplished or modified as necessary and an examination of the financial condition of the property. One that will

be done likely on site because a lot of those materials are already subject of a nondisclosure agreement, and we'll have some of our team of financial investigators and others look at some of the reports and financials that are on site.

We expect that as the date comes closer to June 27, which is when the license expires, there will probably be more frequent meetings. Not unlike what we went through prior to the opening or like we went through in the opening. There may be every two weeks or, you know, depending on how some of the document becomes -- begins to arrive back from Penn.

We will hold -- and that's the suggestion to something that we spoke about before -- where we'll hold a public hearing, much like we do for the renewals of racing. Every time there's a license renewal there, this is very similar. We'll notify the public, some of the stakeholders locally, certainly, and we'll probably go to Plainridge like we've done in the past on racing and hope to hear from the members of the public and others.

We could probably target that to be around May, but there's not any set date necessarily. A lot of the documents -- when we had the public hearings in the past, there was a timing element that was prescribed in the statute. We don't have that in this case. You remember that we had in our regulations an opportunity for the host community agreement to be posted, voted, and then we conducted the hearing. This really doesn't operate in this relicensing case.

So as I mentioned, the suitability review has commenced. There's a lot that we've done also recently in terms of the commitments review and the compliance review because we did the midterm examination. A lot of those commitments were updated. But this is yet again another opportunity to refresh or update any as we continue this process.

I suspect the same members of the staff that have been involved in those prior efforts, John and Joe in the case of commitments and perhaps even Mary, everybody from IEB, the suitability, et cetera, will continue to have that involvement. And in order to make full -- one question that I'm bringing today is the involvement of Commissioners in any one aspect of this review. When we first had the licensing process, we divided ourselves in different groups, and that enabled each of us to have a role in examining that part. You'll remember the finance category, the mediation, et cetera. Although these are not the same categories, we have conceivably, if my fellow Commissioners desired, be involved in the review of whatever discipline so long as there was not, you know, an overlay of that review because that would happen on a public meeting. In other words, if we were interested in each taking a particular segment of any of this review, we could organize ourselves accordingly. That's a question I wanted to kind of bring here today.

>> COMMISSIONER CAMERON: I hadn't thought of that, and I'm just not sure of the applicability.

>> COMMISSIONER ZUNIGA: Uh-huh.

>> COMMISSIONER CAMERON: So I'd really need to take some time and try to understand how that would happen. To me it's a very different process than the initial suitability. But I would like to take a look and talk about it.

>> COMMISSIONER ZUNIGA: Fair enough. This was just something for us to ponder.

>> COMMISSIONER CAMERON: Sure.

>> COMMISSIONER ZUNIGA: We will -- all of us have the opportunity to see and get an update, you know, before we make a decision with ample time.

I should also mention that one of the first -- the first meeting that we will -- that we are having as early as next week is one in which we will present Penn with a number of documents to be updated, a form that we've spoken about in the past, you know, the current status of certain commitments, et cetera. And we need to give them enough time to put that together and come back. So as soon as, you know, this next week, a lot of the work turns into Penn to begin compiling that information.

I also wanted to bring up one question that is not necessary -- it's not necessarily to be resolved today, but I may have spoken about it in the past, and that is relative to the fee. The statute -- and I may need the exact citation, Todd, if you're able to look that up. But the statute contemplates a licensing fee of no less, for Category 2, of no less than \$100,000, which is what we've spoken about, you know, as what we would mark as the benchmark. It also says that it is intended to deflect or defray the costs of investigations and examination of this relicensing process. And it is perhaps not -- it is perhaps easy to assume that with all the staff time that we will incur in this process, we may incur, you know, that amount of cost in terms of staff costs.

The conflict that I wanted to bring up with is that then the statute goes on to say that the licensing fee, that fee, is to be deposited in the gaming revenue fund, which is a different fund from where we pay for our costs. That would be the Gaming Control Fund. And so this is not a matter that we need to resolve today, necessarily, but we have alerted Penn that the initial fee will be a minimum of \$100,000. That will be payable prior to June 27th or 24th. But we need to figure out whether to deposit it in the Gaming Control Fund or in the Gaming Revenue Fund.

>> CHAIR JUDD-STEIN: Is that a matter of our discretion?

>> COMMISSIONER ZUNIGA: Well, it's a matter of conflict in the statute. And there's --

>> CHAIR JUDD-STEIN: But is that because of how the funds get directed, or -- I mean, because we're concerned about where the funds get directed, or what does the statute actually direct us to do?

>> COMMISSIONER ZUNIGA: It directs us to do two things that are at odds.

>> CHAIR JUDD-STEIN: I understand --

>> COMMISSIONER ZUNIGA: That's the point.

>> CHAIR JUDD-STEIN: -- that tension. Because of the covering of the costs. I understand that component. But in terms of where funds actually could go, regardless of how they're used. What does --

>> MR. GROSSMAN: The statute -- it's Section 20F of Chapter 23K. It says that "the Commission shall establish procedures for renewal and set the renewal fee based on the costs of fees associated with the evaluation of a licensee." Notably it doesn't say we should keep those costs. It just says we shall set the fee based on the costs. Now, the presumption, of course, is that we should keep them. And that's why --

>> CHAIR JUDD-STEIN: In order to cover.

>> MR. GROSSMAN: -- based on what it costs us to evaluate. Understanding, as a backdrop, how our budget is set and where we get our monies -- our funding from, being from the licensees, of course, that all the money we take in from them goes to finance our operations.

So the theory, presumably, when it comes to us conducting evaluations and investigations and whatnot would be that we should assess the costs of specific investigations on the entity that's being investigated because it would be presumptively unfair to assess those costs to all licensees for one -- because we're evaluating one specific entity. That's the general theory, I would suggest, behind our whole budget.

And so they said here, when you're just evaluating one licensee, that when you set the renewal fee, it should be based upon the costs associated with the evaluation of the licensee. Again, it doesn't say we should keep that money. Then it goes on to say that any renewal fees shall be deposited into the Gaming Revenue Fund, which as Commissioner Zuniga points out, is not a fund for which we have access to the fees.

>> CHAIR JUDD-STEIN: But the statute does direct us to go to a particular fund.

>> MR. GROSSMAN: That is very clear. It says that the fees shall be deposited into that fund.

>> CHAIR JUDD-STEIN: The guidance is about amount. I understand the practical tension, and that was clear beforehand. But the statute does direct the funds to a particular fund that just would not accomplish the practical tension.

>> MR. GROSSMAN: Very -- yes. That's exactly right. I think it's also important to bear in mind -- and we've pointed this out in the memo -- that there are a number of levers that the Commission can pull to ensure that we are made whole for any investigations or analyses, including a provision of the statute that we haven't looked at in quite some time. It's Section 56A which discusses the \$600 per slot machine annual assessment. And it says after five years, the Commission can reassess that fee and determine how much it should be. So there are ways we could adjust the assessment upon any particular licensee, if you were to determine that the renewal fee has to be deposited into the Gaming Revenue Fund as the statute suggests.

So there are a couple things that are clear, though. The fee has to be at least \$100,000. And certainly -- certainly any excess over and above the amount it costs to investigate or analyze the application would have to be deposited into the Gaming Revenue Fund. But otherwise there is perhaps a tension in the statute that you should certainly resolve in advance of us assessing the fee.

>> CHAIR JUDD-STEIN: I don't know if the legislature can work that fast.

>> MR. GROSSMAN: Well, we -- I mean, obviously, they won't do that, but we would need to make a determination as to what the statute means and attempt to read it in harmony in order to reach what we believe the intent of the legislation was.

>> COMMISSIONER ZUNIGA: I happen to think that it would be -- I just -- we needed to highlight this tension.

>> CHAIR JUDD-STEIN: So it seems as though we need additional guidance on this point. I think we weren't going to vote on it today.

>> COMMISSIONER ZUNIGA: Right.

>> CHAIR JUDD-STEIN: I do want to hear from Commissioner O'Brien on this, on the process as well. But in terms of where there's statutory language, it seems quite black and white in terms of where revenues must be deposited. We want to, you know, exercise proper care around that. But I also would want to know about best practices in terms of the amount and also if we are able to estimate how much it's likely to cost internally. So I don't know if that's -- that's just my immediate thoughts.

>> COMMISSIONER ZUNIGA: Mine is I have not done numbers, necessarily, and

this is a good exercise to try to estimate. But my guess was that the costs of investigating them were going to exceed \$100,000.

>> COMMISSIONER O'BRIEN: This came up -- there is a manner in which IEB tracks --

>> MS. WELLS: Yes.

>> COMMISSIONER O'BRIEN: The costs associated with investigations.

>> MS. WELLS: And I will have one caveat that because this is a modified protocol for the renewal, you know, if you compared it -- you can't compare it to the initial suitability. The initial suitability would have been clearly over \$100,000. But given that we have the renewal protocol and comparing that, you know, we've spoken internally and looked at some other vendors that you might compare it to, and the amount of qualifiers and the amount of investigation, I don't know -- I think it would be less. So --

>> COMMISSIONER ZUNIGA: Are you including the staff time of others?

>> MS. WELLS: That's what I'm not including.

>> COMMISSIONER ZUNIGA: Not just the investigation?

>> MS. WELLS: Remember, you have the investigation piece, but you also have all the other pieces, which I don't know the number on that. You know, you've got Mr. Ziemba's time, you've got, you know, other individuals who would be working on the renewal. You've got Joe's time. So if you include that, you know, plus the investigation, I'm guessing you probably at least hit the \$100,000, but I would have to check to make sure.

>> CHAIR JUDD-STEIN: Are you able to use that same tool and apply it to staff outside of IEB?

>> MS. WELLS: Well, we'd have to see what the process would be.

>> CHAIR JUDD-STEIN: I see.

>> MS. WELLS: So what we do, we do a blended rate, and then investigators track hours. So we have that mechanism, which we could have staff use for the renewal process to track the amount of time. Now, projecting it is different than retrospective.

>> COMMISSIONER ZUNIGA: Right. Yeah. No. You know, so here's one thing. If it's less, the statute says it's a minimum of \$100,000.

>> MS. WELLS: Right.

>> COMMISSIONER ZUNIGA: So in my view, that's easy. If it's more, the question is, you know, what do we do with -- well, if it's exactly that or more, the question is what do we -- where do we deposit the \$100,000. And the plain read of the statute, by the way, would direct us to put it in the Gaming Revenue Fund. And we continue to assess our licensees for all of our costs proportionately.

>> COMMISSIONER CAMERON: I think it would be helpful if we could try to have a projection, you know, thinking about what staff would be important pieces to get this done properly and, you know, just -- I know it's -- any projection is just that. But I think that would be helpful.

>> COMMISSIONER ZUNIGA: You know, as we've been talking here, Todd also mentioned the question policy/legal question as to our ability to raise the \$600 per machine assessment. I would say there are at least -- there is another -- there's this question as to where to deposit the funds. And there's a third one that we were

discussing the other time, and that is whether there is a requirement on the relicensing of Penn that they continue to conduct racing. There's clear language in the statute for the first licensing period that if anybody has been a racing licensee and become a gaming licensee, they have to retain and conduct in racing. This is a matter of legal question and one that we could also ask Penn as part of this process, what are your intentions as you get relicensed? But we could considerably take these three legal questions together and try to resolve, you know, in the near future as we continue to undertake the process of examination. In parallel.

>> CHAIR JUDD-STEIN: Just to be clear for me, the dollars go into the fund, and the concern is strictly that the other licensees would be absorbing some of the costs related to the license -- renewal licensing process of PPC. And that's strictly -- we would be able to cover our costs. It's not as though it's going to outside of our operating dollars. It's just that it's the sharing component. And it is not lost on me that the legislature could have contemplated that that was an okay cost for everyone to share because everyone at a certain point would be likely up for renewal rather than necessarily each absorbing those dollars. While it may seem like it's either a conflict or a mistake, that could have been something that they may have said, you know, cover it, but it's okay for the sharing, because that is the single question here. So if we do read -- and we do have, you know, the obligation to comply with the statute. I don't necessarily know if our concerns as a regulator about that sharing or the equity of that sharing was necessarily adopted by the legislature. I don't know if there's any legislative history on that particular matter, but I don't necessarily believe that they may have said that, you know, because the fee should reflect costs doesn't necessarily mean that they should share those costs. Is that right?

>> MR. GROSSMAN: That's right. In that case we would just pay for the costs out of our budget, and that would be fine.

>> CHAIR JUDD-STEIN: Right. I wanted to make sure that I wasn't missing that the dollars went outside to a different fund that we couldn't access.

>> MR. GROSSMAN: No.

>> CHAIR JUDD-STEIN: Okay. Great. Thank you.

>> COMMISSIONER ZUNIGA: I -- I'm not trying to complicate matters more, but for become ground, the initial fees -- and they were really substantial. They were \$85 million for Category 1 and 20 or 25 million --

>> COMMISSIONER STEBBINS: 25.

>> COMMISSIONER ZUNIGA: 25 million for Category 2. They were directed into the Gaming Licensing Fund. That was an entirely different fund. That had a number of uses. And that fund expired, you know, since we were conceived. So there was a clear presumption that a licensing fee in the future would not go in the same manner to different -- you know, to different funds. And that adds color to this discussion, at least in my view. But, again, it would be, in my opinion, harder to go against a very clear directive of where to deposit the funds, in this case the Gaming Revenue Fund.

>> CHAIR JUDD-STEIN: Before we move on to all of our questions about this process, I do want to hear from Commissioner O'Brien to supplement, clarify any of the process.

>> COMMISSIONER O'BRIEN: The only clarification would be that one of the things -- I pointed it out that was while everyone presumes that Penn wants to renew

their license and it's been a successful relationship and no one should presume anything and then in terms of kicking off the recitation of what's required of the process, the fees, et cetera, there has to be some overture from writing in them. Part of what is process is going to entail is that trigger. Once there is a clarification from them, this is the timing, this is the requirements, this is the expectation, there would be an expectation of confirmation back from Penn that they want to go forward. But everything else in terms of the questions raised, the process that was laid out by Commissioner Zuniga is, you know, my understanding of how this is going to proceed.

>> COMMISSIONER ZUNIGA: Yeah. We did discuss that. Thank you. And we may have already either advised them that that would be necessary, or maybe they have already responded that they intend to. Maybe they really need to do it in writing and we sustain a record, as you say.

>> COMMISSIONER O'BRIEN: Right.

>> COMMISSIONER ZUNIGA: But they clearly intend to.

>> CHAIR JUDD-STEIN: Questions, comments from you, Commissioner Stebbins and Commissioner Cameron about the process as outlined?

>> COMMISSIONER STEBBINS: I appreciate the update from our colleagues. Obviously some of the questions that are ahead of us. The one thing I would want to raise with respect to the public hearing -- and I think, Commissioner Zuniga, you brought this up before -- it is not only looking at what Penn has done over the past five years but giving them the opportunity to say what they will do during the next five-year term of their license. Maybe answering the question about racing is included in that. But, you know, the original application was looking at what they plan to do during the term of their license. I would like to give them the opportunity to say this is what we plan to do in the next term of our license. I think that's just as critically important.

>> COMMISSIONER CAMERON: Agreed. Very good point.

>> COMMISSIONER ZUNIGA: Yep.

>> MS. WELLS: That sounds good.

>> COMMISSIONER ZUNIGA: We'll make that clear.

>> COMMISSIONER CAMERON: I do not have additional questions. Thank you for the effort and time and thoughtful discussion about it.

>> COMMISSIONER ZUNIGA: It's a team effort.

>> CHAIR JUDD-STEIN: Thoughtful process. Very thoughtful process. In terms of the public hearing, that prompted my thinking about the time line. And I know that John Ziemba and team are in -- and I presume that both of you are working on a time line that kind of starts backwards and goes forward.

>> MS. WELLS: That's correct.

>> CHAIR JUDD-STEIN: Just so that everybody's expectations are informed and so that the licensee can be timely, because it's not fair to them to shorten the time unnecessarily for them to deliver to us. In terms of the public hearing, the only caution I'd give is that it be sufficient -- and it sounds like a May deadline would work -- sufficient so that we can actually incorporate any public comments in both a timely fashion but a meaningful fashion. So if we get it too late, we may be down -- we may be so far down the pike we can't really undo some of our decision-making. That's just a thought. I don't have a gut sense on that, but I was thinking at least time line on it and enough time to be not -- to make it meaningful.

And then in terms of feedback on the fee, obviously we have a couple of legal questions on that, but also, as Commissioner Cameron mentioned, we would try to figure out if we can project the entire costs for the staff. And then if there are any -- you did look at other jurisdictions, correct?

>> COMMISSIONER ZUNIGA: Mm-hmm.

>> CHAIR JUDD-STEIN: Yeah. So I don't know if we end up doing any kind of a memo for the public, if that input could be included, that would be great.

>> COMMISSIONER ZUNIGA: Yep.

>> CHAIR JUDD-STEIN: So that we have some, you know, knowledge of what other jurisdictions are doing.

>> COMMISSIONER ZUNIGA: Yeah. Yeah. That's been part of our prior discussions.

>> COMMISSIONER O'BRIEN: That was the jumping-off.

>> COMMISSIONER ZUNIGA: We have materials.

>> CHAIR JUDD-STEIN: We do. Okay. Excellent.

>> COMMISSIONER ZUNIGA: We can dig that up.

>> CHAIR JUDD-STEIN: And then on the horse racing piece, that sounds as though that's a critical piece for us to address. It's not an automatic condition of the renewal licensee -- license. You are suggesting -- sorry.

>> COMMISSIONER ZUNIGA: Yeah. Well, it occurs -- it's a legal question. Academic. It may be that, of course, Penn intends to conduct racing. I believe that if there's a question as to whether the legal requirement is still there, it's clearly something that we should suggest we should impose as a condition of the next relicensing. But, again, something that I wanted to highlight as we look at all -- everything we did in the past when we did the original licensing and why as to whether any of that still applies when we relicense, this was another element for this kind of discussion.

>> CHAIR JUDD-STEIN: Can I ask, if there were a legal decision that it's not legally required, could we learn if we have the power to exercise discretion and impose that condition?

>> MR. GROSSMAN: Well, I think we'll have to vet this a little more closely.

>> COMMISSIONER O'BRIEN: That's an open question, I think.

>> MR. GROSSMAN: Yes, of course.

>> CHAIR JUDD-STEIN: No, I mean could we include that as a legal question?

>> COMMISSIONER O'BRIEN: It's an open question. We talked about that. What if it is a possibility to satisfy through legislative act or lack thereof, what does that mean?

>> CHAIR JUDD-STEIN: Or do we have discretion?

>> COMMISSIONER O'BRIEN: Or what's our authority?

>> CHAIR JUDD-STEIN: Thaw. What's our discretion to exercise our authority one way or another. That would be really helpful.

>> COMMISSIONER ZUNIGA: I would submit that this would be the time to try to exercise it. When we relicense somebody for another five years and establish a condition or not. If we relicense them, we didn't answer this question and then later came to realize that you had no legal authority, they could be gone, for all we know. Racing, that is. I don't think -- I'm not speaking on behalf of Penn. It could be that it is clearly their intention to conduct it, and this may be a moot point. But it is a legal question that we should resolve. And if it's not resolved, exercise what we believe

would be our authority, and the easiest one that occurs to me is to place an additional condition on the license.

>> COMMISSIONER O'BRIEN: There's also the other question of legal impossibility to satisfy the condition. Which I am wondering if that's what you were getting at, which is because there's either action or inaction on the part of the general court on the legislation, what does that mean to any condition that we've imposed? Does it then eradicate that condition?

>> COMMISSIONER ZUNIGA: Fair enough.

>> CHAIR JUDD-STEIN: Exactly. We would have no authority behind it. Right. So there's obviously some outstanding questions. You've got your list, Todd? Any further questions? And thank you. Thank you for helping. You know, we -- we have been briefed along the way on the suitability particularly in terms of the -- whether we could achieve some efficiencies. We have that process under way. And so this is obviously a work in progress. But I think we should keep this on our agenda with some degree of cadence to answer these questions along with whether or not we have to have a formal vote and get just brief updates so that we keep our cadence going.

>> COMMISSIONER ZUNIGA: Yep.

>> CHAIR JUDD-STEIN: Okay. Excellent. Thank you. Do you need a -- we don't have a vote then necessarily today.

>> COMMISSIONER ZUNIGA: Well, we had a provisional vote, and I believe there may have been a provisional motion, but, frankly, I don't know --

>> CHAIR JUDD-STEIN: I think we have a consensus today on the process.

>> COMMISSIONER O'BRIEN: I don't know that we need a vote for IEB and others to continue what they're doing.

>> MS. WELLS: Yeah.

>> CHAIR JUDD-STEIN: Good. Well, then thank you. Moving on to item number 4. Oh, number 5. Excuse me. Racing division, Dr. Lightbown and company.

>> DR. LIGHTBOWN: Good morning, Commissioners.

>> CHAIR JUDD-STEIN: Good morning, Dr. Lightbown. If you could make introductions, please.

>> DR. LIGHTBOWN: Oh, thank you. I have Chad Bourque, our Senior Financial Analyst, with us. And for the first couple of items, Steve O'Toole, the Director of Racing for Penn Casino is here to help with any questions you may have.

What I might do is have Steve go ahead and talk about the Winter Wonderland handicapping contest which is the item that's 5A. And then if you have any questions, you can ask him and Chad will actually talk to you about the promotional fund consideration. So Mr. O'Toole?

>> CHAIR JUDD-STEIN: Good morning.

>> MR. O'TOOLE: Good morning.

>> CHAIR JUDD-STEIN: Good morning.

>> COMMISSIONER CAMERON: Good morning.

>> MR. O'TOOLE: So with the promotional fund, says we were looking at different things we could do. And one of the things that we have questions all the time from our customers is, you know, what can you do for us in terms of some type of racing. And so we do have our rewards that we rolled out a couple years ago for our racing customers. But a lot of the -- a lot of the customers are very happy with the jackpots

that you approved, and we've been able to offer, and a couple of those jackpots were hit over the course of the last year or so to the tune of \$50,000 and \$60,000 as they grew, so that was really good.

One of the things that has kind of taken off over the years is some handicapping contests at other tracks. And so ours is a little different than what -- there's a lot of different styles. The last one that we held was called a Survivor contest. So it went for a whole card one night on the Meadowlands. And Lenny Calderon, my announcer and public relations guy, he set it up. And so we identified the races at the Meadowlands, and people would come in, and they'd have their pick throughout all ten years. And whoever survived to that last race would be the winner. Unfortunately, the horse that won the first race paid \$178 and only one person had it. So the contest didn't go on very long.

[Laughter]

>> COMMISSIONER CAMERON: Oh, wow!

>> MR. O'TOOLE: But it didn't have a lot of excitement. So what we've done with this particular contest is we're trying to push our rewards cards into more customers' hands. So with a rewards card or with a signup for a rewards card, you're eligible for this contest free of charge to enter. And \$5,000 in total prize money. \$2,500 to the winner. This one's a little bit different. It's a mythical \$2 wager, win, place or show. And at the end of the races on Saturday -- I don't have the date in front of me -- but on the contest day, at the end, whoever has the highest mythical accumulation of winnings would be the winner. And then we're going to pay out to ten places.

>> COMMISSIONER ZUNIGA: So the contest -- I'm just curious. So anybody picks all the races in the Meadowlands, but they're not betting on those races? It's just a contest among people here?

>> MR. O'TOOLE: Right. That's separate.

>> COMMISSIONER ZUNIGA: Yeah.

>> MR. O'TOOLE: They can go off and bet --

>> COMMISSIONER ZUNIGA: They can bet if they want to.

>> MR. O'TOOLE: Right. And we're hoping that they will. Most of the time the customers and the patrons and the handicappers put a lot of time into something like this. It's on a Saturday. And it's coming up shortly. So this one is some major races from Gulfstream Park. There's some major races on that day, so the day has a lot of interest anyway. Next week is the Pegasus Cup, and we're rolling it out for customers to sign up that day as well as the following Saturday. So it's two weeks. It's in two weeks. And so the races are identified. They're not at all the same tracks. We have different -- there's five from Gulfstream and some other tracks we have five races from Gulfstream, the major races of the day, and we'll print special programs for those customers with just those ten races. And those will be -- so it will be an all-day event.

>> COMMISSIONER ZUNIGA: Mm-hmm. And the money for those prizes comes from the promotional trust fund? Is that the idea?

>> MR. O'TOOLE: That's what I am requesting. Correct. And some of the contest is a pay to enter, and then that's where you fund it from. In this case, as I said, you know, our customers are what have you done for me lately. We thought a free to enter was the way to go with using the promotional fund as the kicker which makes sense because, you know, advertising, to use the promotional fund for advertising, is difficult

because of the cost of all the advertising and the limited funds that we have in the promotional fund. So we thought this was a good way to, you know, get a little bit of, you know, something into our customers' hands. And a lot of times -- you know, a lot of times they'll use that money to -- the winners will use that money to bet back and increase the interest in that card which would have the potential of increasing our handle for that particular day.

>> COMMISSIONER ZUNIGA: Yes. It's more people looking at more races even if they're around the country, and they'll stay longer, perhaps.

>> MR. O'TOOLE: Right. And we like to do this -- you know, I'd like to come back, you know, multiple times if this is successful, which we think it will be. There's already been a lot of excitement at the plant for it. So if it's successful and we think we'll be able to come back multiple times within the year to have different ones, have one highlighting our live -- one or two highlighting our live card as well. So, you know, we're hoping that this -- I think that the staff did a well -- did a good job thinking outside the box in putting this together. And everything that has been submitted was through brainstorming and their thought process on what our customers would really like. And we used Lenny's model and we kicked that to the side for the Survivor one, which in other jurisdictions has worked out pretty well. But for that particular night, it was a flop.

>> COMMISSIONER ZUNIGA: So just roughly, if anyone can estimate just how much does the promotional fund kicks in generally for the year, for Penn?

>> MR. O'TOOLE: I have a little bit more history with it. So we haven't used the promotional fund for a while because there was a hiccup in the transition period between Our Way and Penn. There was a hiccup where it was overpaid, so we've actually been making up for that hiccup over the course of the five years since Penn took over. So it's just started to grow. And we didn't tap it because we wanted to gain some traction and get some -- I mean, Chad probably has the numbers.

>> COMMISSIONER ZUNIGA: Yeah.

>> MR. O'TOOLE: We wanted to let it grow before we started to try anything constructive with it.

>> COMMISSIONER ZUNIGA: Sounds good. And if you can get back to me on this, that's fine. I just sort of would like to get a sense as to what's the universe of money that we might be seeing and then how each one of these requests might compare to that amount of money.

>> MR. O'TOOLE: It's much smaller percentage than the capital improvement trust fund that goes in.

>> COMMISSIONER ZUNIGA: Yeah. That was my sense. Again, just order of magnitude for future requests. I think this is a great idea, by the way, and I think it's a way to keep people engaged.

>> MR. O'TOOLE: And I'd like to come back as many times as I can with these requests so I can see the smirk on Commissioner Stebbins's face.

>> COMMISSIONER O'BRIEN: Video doesn't do it justice?

>> COMMISSIONER CAMERON: I agree that it's a totally entirely appropriate. It is a promotion. This will drive business. You've done your homework here. I see where it can really gain excitement, and people like that. So six different winners. That's a nice thing, too. I think it's an appropriate way to use those funds.

>> COMMISSIONER O'BRIEN: And you have to enter in person. Is that correct?

>> MR. O'TOOLE: That's correct. Yep. You actually have to be there to collect as well.

>> COMMISSIONER O'BRIEN: Oh. Okay.

>> MR. O'TOOLE: We want to keep them there all day.

>> COMMISSIONER O'BRIEN: Keep them there all day.

>> CHAIR JUDD-STEIN: Before we move, I just want to point out that Maryann Dooley had us add 11:15 at the start of your presentation, and we were at exactly 11:15. So thank you.

>> COMMISSIONER CAMERON: Wow. Wow.

>> CHAIR JUDD-STEIN: She is killing it.

>> COMMISSIONER CAMERON: They are projections are strong. Strong.

>> CHAIR JUDD-STEIN: She is killing it. Thank you for coming today to explain this. Do we have a motion?

>> COMMISSIONER CAMERON: Madam Chair, I move that the Commission approve Plainville Gaming and Redevelopment LLC's request for consideration in the amount of \$5,000 to the Harness Horse Promotional Trust Fund for the Winter Wonderland handicapping contest on Saturday, February 1st, 2020, at Plainridge Racecourse.

>> COMMISSIONER ZUNIGA: Second.

>> CHAIR JUDD-STEIN: Any further questions? All those in favor?

[Vote taken]

5-0. Thank you. Thank you. Good morning, Chad.

>> MR. BOURQUE: Good morning.

>> COMMISSIONER ZUNIGA: Good morning.

>> COMMISSIONER STEBBINS: Good morning.

>> MR. BOURQUE: The next item we have is also with Plainridge Park Casino, and this is for funds from the harness Horse Capital Improvement Trust Fund. And this is in the amount of \$40,337.81. This consideration was approved by the Commission on December 5th. And so they went ahead and moved forward with the purchase of a tractor from Big Boys Toys. I have included in the packet the opinion letter from Dixon Salo who provided all the documentation. I have reviewed the documentation. They included pictures, exhibits, invoices, copies of checks made payable to all vendors, and the request looks like it is in good order. This does require a vote.

>> COMMISSIONER STEBBINS: No smirk required, but I'm happy to offer a motion. Madam Chair, I move the Commission approve Plainville Gaming and Redevelopment LLC's request in the amount of \$40,337.81 to the capital trust fund for the purchase of a tractor from Massey Ferguson Big Boy Toys LLC.

>> COMMISSIONER O'BRIEN: Second.

>> CHAIR JUDD-STEIN: Any questions? Thank you, Chad. All those in favor?

[Vote taken]

Opposed? 5-0.

>> MR. O'TOOLE: Thank you, Commissioners.

>> CHAIR JUDD-STEIN: Thank you.

>> MR. BOURQUE: And on to local aid. So each quarter in accordance with budget and appropriation 1050-0140, local aid is payable to each city and town where racing activities are conducted. The amounts are calculated at .35 times the handle from the

quarter ending six months prior to payment. The local aid payment for the quarter ending December 31st, 2019, is in the amount of \$255,315.91. This amount reflects the total from racing that took place in April, May and June of 2019. And on the second page, you will see a breakdown of the handle as well as distributions that are payable to each city and town. And this item also requires a vote.

>> CHAIR JUDD-STEIN: Any questions for Chad? Do we have a motion?

>> COMMISSIONER CAMERON: Madam Chair, I move that the Commission approve the 2019 local aid quarterly payment in the amount of \$255,315.91 pursuant to the Commonwealth of Massachusetts 2019 budget and appropriation as described in the memorandum dated January 13th, 2020, in the Commissioners' packet.

>> COMMISSIONER ZUNIGA: Second.

>> CHAIR JUDD-STEIN: Any questions? All those in favor?

[Vote taken]

Opposed? 5-0.

>> MR. BOURQUE: Thank you.

>> DR. LIGHTBOWN: The next item for racing is the 2018 Suffolk Downs unpaid winnings. As we've discussed previously, these are in a year past. For Suffolk Downs for the unclaimed tickets in 2018 was \$246,692.90 and made payable to the Commonwealth of Massachusetts. Financial analyst Chad Bourque has gone over this amount with Suffolk Downs. And just as a note, we do have another guest, Jessica Paquette, is here on behalf of Suffolk today. And this does require a vote from the Commission.

>> CHAIR JUDD-STEIN: I have a question. It's just out of curiosity. Do you know -- so Suffolk has closed. So we will have this report next year for 2019, right?

>> DR. LIGHTBOWN: Yes.

>> CHAIR JUDD-STEIN: Do you happen to know what 2017 was? I just wonder if there's an amount.

>> DR. LIGHTBOWN: It's amazing how similar it is from year to year with all the tracks.

>> CHAIR JUDD-STEIN: That's what I wondered, yeah.

>> DR. LIGHTBOWN: Last year it was \$236,084.

>> CHAIR JUDD-STEIN: It will be interesting to see if the year of the closing, if people are more vigilant. I just think it will be interesting.

>> DR. LIGHTBOWN: That's correct.

>> CHAIR JUDD-STEIN: It's been pretty steady. Okay.

>> DR. LIGHTBOWN: At some point they will be closed, but we will still have outstanding tickets that will be due.

>> CHAIR JUDD-STEIN: Right.

>> DR. LIGHTBOWN: So we'll have to work with Suffolk on that.

>> COMMISSIONER ZUNIGA: And these are both from the live racing and the simulcasting?

>> DR. LIGHTBOWN: Correct.

>> COMMISSIONER ZUNIGA: Yeah. So we're still --

>> DR. LIGHTBOWN: Right.

>> COMMISSIONER ZUNIGA: They're still simulcasting.

>> DR. LIGHTBOWN: Yes. They're still simulcasting, so the amount may not

change that much for this year coming up.

>> CHAIR JUDD-STEIN: That's right. That's right. For simulcasting, if simulcasting continues, then it will not be a closeout.

>> DR. LIGHTBOWN: Correct.

>> CHAIR JUDD-STEIN: Got it. Thank you.

>> COMMISSIONER O'BRIEN: With the track closed, does somebody now go to the simulcasting location? Because you've got the year to cash the ticket in? How does that work, just out of curiosity?

>> DR. LIGHTBOWN: I'm trying to remember with the dog tracks. There was a mechanism in place. And I'll have to go back and look at what that mechanism was. But we work it out with the track so that could be done.

>> COMMISSIONER ZUNIGA: No, but your question is to where they're going to observe the simulcasting, it's at the track.

>> COMMISSIONER O'BRIEN: No, but is that where you go to cash in a wager on a horse race potentially even though the live racing at the track is closed?

>> COMMISSIONER ZUNIGA: Yeah.

>> DR. LIGHTBOWN: Yeah. On the simulcasting, you can still do it. If at some point it was completely shut down, then we would work out a mechanism like they did when the dog racing ended.

>> CHAIR JUDD-STEIN: And supposedly everyone's on notice that it's a year.

But --

>> DR. LIGHTBOWN: Yes.

>> CHAIR JUDD-STEIN: -- the question would be if they are wondering, if they have a live winning, they could still go --

>> DR. LIGHTBOWN: Correct. Yes.

>> CHAIR JUDD-STEIN: -- simulcasting. So maybe we could help on that outreach. It's a good question. And maybe on our website, reminders.

>> COMMISSIONER O'BRIEN: Just to remind people.

>> DR. LIGHTBOWN: That they're still open. Yes.

>> CHAIR JUDD-STEIN: Like always, it's only one year, but they are still open. If that's, in fact, how they can cash out.

>> DR. LIGHTBOWN: Yes.

>> CHAIR JUDD-STEIN: Okay. Interesting. Okay. And you need a vote on this, Dr. Lightbown?

>> DR. LIGHTBOWN: Yes, it requires a vote.

>> CHAIR JUDD-STEIN: Any further questions of Alex? Do I have a motion?

>> COMMISSIONER O'BRIEN: Madam Chair, I move the Commission approve the payment of \$246,692.90 from Sterling Suffolk Racecourse to the Commonwealth of Massachusetts for unclaimed winnings from 2018 as described in the memorandum dated January 16, 2020, included in the Commissioners' packet.

>> COMMISSIONER ZUNIGA: Second.

>> CHAIR JUDD-STEIN: All those in favor.

[Vote taken]

Opposed? 5-0. Thank you.

Moving on to F.

>> DR. LIGHTBOWN: So the next one is the unclaimed winnings from Wonderland,

and that was determined with Chad and Suffolk, which is using the Wonderland license at Suffolk Downs to be \$3,849.33, and this requires a vote of the Commission.

>> CHAIR JUDD-STEIN: I'm sorry. I flipped to the wrong page.

>> COMMISSIONER ZUNIGA: It's 5b.

>> CHAIR JUDD-STEIN: Any questions on this? Do I have a motion?

>> COMMISSIONER ZUNIGA: Madam Chair, I move that the Commission approve the payment of \$3,849.33 from Wonderland Greyhound Park to the Commonwealth of Massachusetts for unclaimed winnings from 2018 as described in the memorandum dated January 16th, 2020, included in the Commissioners' packet.

>> COMMISSIONER STEBBINS: Second.

>> CHAIR JUDD-STEIN: Any questions? All those in favor.

[Vote taken]

Any opposition? 5-0. Thank you.

>> DR. LIGHTBOWN: The next one is the recovery of the unclaimed winnings from Plainridge. And Chad in determination with the folks at Plainridge determined that it was \$187,252.47. And, again, this requires a vote of the Commission.

>> CHAIR JUDD-STEIN: Any questions? Do I have a motion?

>> COMMISSIONER O'BRIEN: Madam Chair, I move the Commission approve the payment of \$187,252.47 from Plainridge racecourse to the Commonwealth of Massachusetts for unclaimed winnings from 2018 as described in the memorandum dated January 16, 2020, included in the Commissioners' packet.

>> COMMISSIONER STEBBINS: Second.

>> CHAIR JUDD-STEIN: Any questions? All those in favor?

[Vote taken]

Opposed? 5-0. As always, thank you for the great preparation. Oh, do we have one more?

>> DR. LIGHTBOWN: We have one more.

>> CHAIR JUDD-STEIN: My apologies.

>> DR. LIGHTBOWN: We have the unclaimed winnings from Raynham Taunton Greyhound Associations. And that amount was determined to be \$142,977.55. And again, this does require a vote of the Commission.

>> CHAIR JUDD-STEIN: Any questions on Raynham? Do I have a motion?

>> COMMISSIONER STEBBINS: Mead, I'm move the Commission approve the payment of \$142,977.55 from Raynham Taunton Greyhound Associations to the Commonwealth of Massachusetts for unclaimed winnings from 2018 as described in the memorandum dated January 16th, 2020, included in the Commissioners' packet.

>> COMMISSIONER ZUNIGA: Second.

>> CHAIR JUDD-STEIN: Any questions? All those in favor?

[Vote taken]

Opposed? 5-0. Now I can say a proper thank you.

>> DR. LIGHTBOWN: Thank you.

>> CHAIR JUDD-STEIN: Thank you. As always, so well prepared.

>> DR. LIGHTBOWN: Thank you.

>> CHAIR JUDD-STEIN: So now we're moving on to item number 6, which is the Commissioners' updates. I'm just going to look at my time. Three, two minutes ahead. That's pretty good. Maryann, rest assured I won't call you out if we get behind

because it will be reflective of me and our team here as opposed to you. So thank you.

We now, looking at item 6a, the last meeting we had begun our discussion around process for the search for a permanent Executive Director. We now, of course, have the benefit of Karen Wells as our Interim Executive Director. As I said earlier, it's critical to not only my fellow Commissioners and me, but I believe for the entire staff and for the good of the Commission and the benefit of the Commonwealth and our licensees that the process be open, transparent, and competitive in order to meet all of our obligations and to do so under the Open Meeting Law, of course.

The last time we were here, we tabled a vote, although I'm not really sure we anticipated a vote necessarily around whether or not to decide to retain an executive search firm or use internal resources. Before I turn this over to Commissioner Zuniga who is assisting in this process, Commissioner O'Brien, you had recognized then that you needed to learn a little bit about the history of what had occurred with the past two Executive Directors, and I wondered if you wanted to either comment or if you've gained the benefit of that.

>> COMMISSIONER O'BRIEN: I did. I talked to Commissioner Stebbins about his involvement in the prior two exercises, and I also talked to Trupti, head of HR, what the process was, what was followed at that time. So I feel more comfortable being able to take a position today. So I would defer to Commissioner Zuniga in terms of process.

>> CHAIR JUDD-STEIN: Good. And then we outlined -- or you outlined the pros and cons of both that we at least highlighted between ourselves. I don't know if you want to summarize the discussion briefly?

>> COMMISSIONER ZUNIGA: Mm-hmm.

>> CHAIR JUDD-STEIN: And then seek some guidance.

>> COMMISSIONER ZUNIGA: Yeah. I will try to summarize briefly. I -- we've done -- we've had two instances of searching for an Executive Director, and we've done one of each, one with internal resources and one with an executive search firm. I think there are, you know, positives and, you know, on both. We can gain the perspective of an outside firm. That perhaps comes with -- if we conducted a search -- if we decided to engage a search firm, that may come at the expense of perhaps delaying a little bit more the process, but that doesn't mean it would be any less -- of any less quality, necessarily.

We talked about that in the past. I don't think it's necessary to rehash all of that, although we could. I am, frankly, you know, indifferent as to both. I think there are positives on both approaches. But perhaps, you know, leaning more towards, you know, having a search firm come help us out. The proviso or the caveat, I'd also remind ourselves is that we looked at all the existing contracts for professional services, and we did not find a firm -- we felt we did not find a firm or a group that could really fit within all of those preapproved contracts by the state procurement OSD. So we believe if we went this route, that we would have to do a procurement of our own and, you know, designate a procurement management team, and we certainly are confident that we have those internal resources ready and able to execute on that.

>> COMMISSIONER CAMERON: I have had some time -- I initially, a couple of weeks ago, kind of assumed or was leaning toward an inside process because of -- I thought we -- we -- we handled that well on the one occasion we did it. But I have really looked at the added value that a firm can bring as well as I was persuaded by

CFAO Lennon who talked about resources and the resource drain it would take to do this properly. And I think it's important to all of us that we do it properly and thoughtfully and really, you know, make sure that that's part of our process. So I at this point am thinking that using a search firm would be appropriate.

>> COMMISSIONER O'BRIEN: So I guess I'm the spoiler in terms of I'm not opposed to it, but in the extent we move that way, I think there's -- and I don't know how this vote's crafted -- but I don't think it's an all or nothing because I do think we can move forward with an internal process and internal resources but then supplemented by an outside firm that can then help push out further or head hunt if that falls short. And to me I felt like that was a better use of addressing the resource issue.

>> COMMISSIONER CAMERON: Right.

>> COMMISSIONER O'BRIEN: And then making the most of a search firm. My conversations on the scope of those services could be anywhere from soup to nuts, drafting everything, the postings, handling it, vetting it screening it, et cetera before it came up to you do your own if the pushout isn't satisfactory, the return is not satisfactory, you can also pull in teams that function more like head hunters. And so talking about resource issues, when I talk to everybody about process, I was almost coming down on a middle ground that we did some on our own and then pulled in when appropriate.

>> COMMISSIONER ZUNIGA: You know, that's a very good point, and I think we should have clarified that the alternative of using an executive search firm presumes that there will be a lot of internal resources involved, because we have that experience, we have that capability, there will be, you know, a consultation of, you know, the job descriptions and the attributes that we feel are necessary, and that all goes right to, you know, internal resources. So I think that is the presumption of the second alternative rather than doing it all on resources. But that is clearly something that we would pay attention in terms of the scope that we write for an RFP as well as how we can begin to gain traction and, you know, not be too delayed while this procurement is going.

>> COMMISSIONER O'BRIEN: Right.

>> COMMISSIONER ZUNIGA: There's a lot that we can also draw from the past two searches that's already in our archives as to what was valuable and how staff interacted here.

>> COMMISSIONER STEBBINS: Yeah. The only thing I would add, you know, the discussion of where a search firm may be able to add value, you know, if we find we're not seeing the candidates that we look for and we really need somebody to go out and kind of knock on doors and, you know, entice or recruit people who might not have been thinking about the position I think would be, you know, a critical resource to have. I do want to go back to one step that I'd raised the last time which was -- and it might be through a search firm -- but taking the step of also having a conversation or having a professional have a conversation with our directors, perhaps the five of us, you know, the MGC team to create a piece that could be used in addition to, you know, a regular job description but something that gives that candidate an idea or feedback as to what the current life is of the Commission, what we're focused on, what some of our staff, what we might be looking for in our next Executive Director, something that's just beyond the nuts and bolts of a job description. And it might be something that a search firm could do. It might be something that an organization or consultant has some

expertise in. I don't think it's a lot of dollars. Our bidding allows us if we have three competitive bids under \$10,000. And that might be sufficient to do the work. But I don't want to forget about that piece because it's not only going to be helpful for us and helpful for our team to give us feedback, but I think it's going to be helpful for the candidate. We've now been up and running for almost eight years, you know. Where is the life of this Commission? What are we doing? What are going to be some of the issues that we need to focus on going forward? And I think that might be a good tool for us to use as we look for candidates or if we move ahead and engage a search firm to use as well.

I don't like the idea of adding another step to the process, but I think it's important and could have a more condensed timeframe.

>> CHAIR JUDD-STEIN: I actually think that's an essential step to the process, and that's where I do disagree with Commissioner O'Brien. And so don't feel like you're the spoiler because I'm a spoiler as well. When I stop to think about where we are, as you say, in terms of the life of the Commission, there have been two executive Commissioners -- Executive Directors hired during that period. You've used different processes. I think it's a good time to pause and really assess what are the qualities we are looking for in an Executive Director at this juncture. And in order to do that in a safe and open way, particularly in the event we have internal candidates, I do think using an outside resource will allow us to get very genuine and comfortable input that does not imply negative.

And so -- and they would have those skills. And that first step, that input will allow us to really get the job description that we want because I don't know if we only heard internally. I might be more likely to agree with our own team. With a consultant, it might make me think in a more rigorous fashion. And that's not just because we rubber stamp anything, but I just would probably think they've been here. I came in February. Those insights. So having someone who does this for a living. The development of a job description is one of the most crucial pieces of a search. We could flip it. You know, I think we thought about when we talked earlier, Commissioner Zuniga, that maybe a hybrid approach would be to use the outside resource at the beginning, develop a job search, and then use internal for posting, recruitment, and then -- and assisting in the interview process. And with that comes some caveats because, again, I am concerned about our internal resources. If we have a -- convene a procurement management team and give some very clear guidance on time lines and we include a contract that is rigorous, that will come with a price. And I understand that. You know, when you ask for faster service, you pay more. But it may be that we will be able to have directed resources rather than stretched resources to help us. So I -- I think this is a big job. We are going to talk about compensation next. It's a big job in state government. Compensation reflects that. I think investing in the process at this juncture requires outside expertise. And we have a very lean team here on HR. We have a very lean team, which is something we need to think about for the future. But right now we have one person in Springfield and one person here.

>> COMMISSIONER ZUNIGA: Well, I assume that --

>> CHAIR JUDD-STEIN: The jobs now.

>> COMMISSIONER ZUNIGA: -- we would be involved and others as well. I -- you know, I --

>> CHAIR JUDD-STEIN: But that would imply that we would be -- you know -- I'm sorry to cut you off, but I just want to make sure the other thing to clarify on Commissioner Stebbins said on interviewing us and the management and the directors and then you went on to the MGC, I think this is an opportunity to go throughout our entire team. And I don't mean to go like this. It's this. I mean, we're an entire team. We're a small shop. But to get input all the way through. So if you are questioning somebody and using our resources, it's going to feel different if it's somebody who has that skill set to, like you suggested, you know, an outside consultant would know how to navigate, how to question appropriately to get feedback. And so that's the only thing I wanted to add.

>> COMMISSIONER ZUNIGA: We're making assumptions as to how a process like that goes. I think there's invariably -- anybody that comes from the outside is only going to be as good as, you know, the conversations that, you know, that they have internally. And I understand that there may be a different comfort level, but I think everybody's a professional here and is going to be candid with whomever is going to be, you know, trying to compile all of these attributes and edit the description. We have a role in that. We could do it in a public meeting and come to any number of times and say, you know, I think more of this, less of that, whatever the case may be. I just -- again, some of this has to play out, and it depends on the firm that's outside. But there will -- nobody is going to be effective if there's, you know, not a lot of input from internally, and I just envision that it would, and we would find ways to make sure that that happens in a candid and professional way.

>> COMMISSIONER CAMERON: I think for the five of us, we will be candid. I do think there's some merit when we talk about this, speaking to other people in the organization, there may be some hesitancy.

>> COMMISSIONER ZUNIGA: Yeah. No. And this is not an all or nothing. I'm just agreeing with Commissioner O'Brien that it's a mix, and there's a balance there. I cannot tell you exactly with precision what that is because, you know, we don't know who we're going to get and how that plays out. But, you know, assuming that we'll have a good outside resource, we'll use it in the most effective way we can, and that includes a lot of internal input or thought, you know. I just -- perhaps we're just sort of, you know --

>> COMMISSIONER CAMERON: Saying the same thing?

>> COMMISSIONER ZUNIGA: Saying the same thing from two different viewpoints.

>> CHAIR JUDD-STEIN: Yes. And I just think that -- I am trying to be sensitive of the fact that we're at a certain juncture where we want to make sure our process is really understood to be a process that embraces our entire team. And with an outside resource, there is -- I think it's quite understood in organizational behavior that when certain people inquire of questions that require candidacy, not everybody feels as safe and open as one would hope but one would understand. And I think you expressed it is, you know, among us, of course, and even among our team that we interact with. But, you know, there is, in order to be -- to truly get the input that I think I would be seeking to inform our job description, having a degree of process that's safe and fair and open would be really helpful at this juncture.

I am absolutely willing to, you know, use our internal resources and understand that any search requires that. As I mentioned at the last meeting, I just came off an

extensive executive search for a nonprofit in which I served. And it required a lot of internal resources. Internal resources we really are short on here at a starting point. And I think it was the director of those -- it was Derek Lennon who said we are shorthanded. So I'm very aware of we want to continue to make sure our HR department does everything it needs to do to keep our team going strong here now and, of course, you've already accessed the input in the past, of course we'll be seeking those resources to help. But I think just the fact that we have some division here might indicate that having an outside consultant could help us.

>> COMMISSIONER ZUNIGA: I think that's a consensus. I think we may be trying to split hairs at this point.

>> COMMISSIONER O'BRIEN: I think it's the semantics for me in that this motion and discussion hinges on executive search firm -- and maybe I spoke prematurely to say I knew enough to take a position today. But to me that's a term of art that doesn't necessarily encompass what Commissioner Stebbins was talking about which I agree with which I think should be happening even if we weren't in the position of looking for a new E.D. And I guess I'm not 100% convinced that saying go ahead and get an executive search firm is actually going to achieve what Commissioner Stebbins is talking about, which I think there is unanimity here that that's a process we should undergo. So maybe if other people with more experience can educate me on it.

>> COMMISSIONER STEBBINS: Yeah. You know, finding somebody -- and, again, it may be the talent or skills of a search firm to conduct this first step, or it might be the skills of an organizational consultant to kind of come in and help us do this first level of review. And I think we could possibly undertake that step in an RFP for a search term and I think to the next phase which is help us go out and find candidates. That doesn't mean we have to accept the proposals. You issue an RFP. You could choose not to select somebody or change our work plan, but you can almost have those two tasks I think on a parallel track.

>> CHAIR JUDD-STEIN: I do think there are firms-- and we might be, by doing that, adding a lot more cost. And maybe, you know, the next step would be -- and I would recommend that Commissioner Zuniga convene a procurement management team. He would be permitted, under the Open Meeting Law, to include another Commissioner. I think that there's some education, you know, about how we could include what I think you and I are in agreement on in terms of the initial step of getting a pulse, internal pulse, to inform the job description. I do think that that is something that executive search firms -- that is their first step in the process. And then the search part is something that follows. It's not -- they're not -- it would be a misuse --

>> COMMISSIONER O'BRIEN: I think it depends on the firm.

>> CHAIR JUDD-STEIN: Right.

>> COMMISSIONER O'BRIEN: It may be that as drafted this is a narrow that I don't think gets us where the one place we are all in agreement.

>> CHAIR JUDD-STEIN: Maybe we could say outside resources -- resource or resources but try to get the one that's most efficient to accomplish what we want. In other words, it doesn't have to be a consultant and a firm, a consultant and inside. But if we can agree that it's external --

>> COMMISSIONER O'BRIEN: I guess what I'm saying is external as to getting the pulse versus -- I mean, so Commissioner Stebbins' sort of approach of, you know,

getting the pulse is one thing, and I guess I am conceptualizing it different than proceeding from the get-go externally.

>> CHAIR JUDD-STEIN: I am concerned about if we try to do this on our own, it will not be an efficient way --

>> COMMISSIONER O'BRIEN: I'm talking about pulse.

>> CHAIR JUDD-STEIN: No, but even afterwards, I don't think we have the resources to conduct a very competitive, open process that includes the potential for strong internal candidates in an efficient and fair and open way if we decide we're going to rely on what are such limited internal resources. So --

>> COMMISSIONER O'BRIEN: I don't think moving forward in the first instance says we're stopping there. So I guess I'm envisioning it moving forward but not --

>> COMMISSIONER ZUNIGA: I'm getting a little lost here.

>> CHAIR JUDD-STEIN: If we're doing an RFP --

>> COMMISSIONER ZUNIGA: Are we talking about two firms here?

>> CHAIR JUDD-STEIN: That's what I'm hearing perhaps.

>> COMMISSIONER O'BRIEN: What I'm saying potentially and I don't like the wording in front of us in terms of going forward.

>> CHAIR JUDD-STEIN: What would you suggest?

>> COMMISSIONER O'BRIEN: That's what I said if people could educate me in terms of the verbiage much moving forward because I absolutely embrace the idea of going out either under the thresholds in terms of getting, you know, verbal or written three quotes to move forward on that and/or an executive search firm that has that capacity while you're also doing an RFP for a search itself, you know, what is the terminology we're talking about here?

>> CHAIR JUDD-STEIN: Mr. Grossman, you look like you have an idea.

>> MR. GROSSMAN: Well, I'm glad I look that way.

>> CHAIR JUDD-STEIN: I mean, I do think then apparently there's language and emotion I wasn't involved in that crafting. So no one should ever be tied to that language. Do you have a suggestion in terms of what you would --

>> COMMISSIONER O'BRIEN: But I do think we have a disconnect in terms of comfort level.

>> CHAIR JUDD-STEIN: Because we might be aligned is what I'm wondering.

>> COMMISSIONER O'BRIEN: Is moving that the Commission approve the search process for the E.D. by procuring external -- I don't know how you would phrase it -- external --

>> COMMISSIONER ZUNIGA: Professional.

>> COMMISSIONER O'BRIEN: -- assistant in conducting, you know, organizational baseline assessment and/or a search term so that it's -- there is the possibility that we get to the end of there and say, you know what? Yeah. We need something beyond or we can move speedily with you know what? We can do this under the procurement threshold and move very quickly on that.

>> COMMISSIONER STEBBINS: And I envisioned, first of all, simple basic step is we want to appoint Enrique as our designee.

>> COMMISSIONER O'BRIEN: Do we need to break it down further?

>> CHAIR JUDD-STEIN: I want to make sure she understands I am aligned with that exactly, and you should know that what could happen with the PMT coming together,

you sit down and you start writing what you're anticipating would be available, there could be some -- Derek could help in terms of doing some initial due diligence to find out what these firms do have available for resources and the range, right, because it could be an organizational consultant plus or something, and then draft the RFP, we're convening back -- that would be my recommendation -- to vote on the RFP. So if that helps, it would be we come back and at that point we say, you know what? We really do need to, you know, divide and conquer and do something different. But at least we'd be taking the initial step to convene -- if we decide to go only internal or only external for one thing, we might be missing an opportunity. So maybe the procurement team's efforts will reveal this. Does that help?

>> COMMISSIONER ZUNIGA: Yeah. Yes. I think -- I'm sorry go this throws a technical wrench here, but what I'm gleaming from this discussion, I find hard to believe that we might be able to get outside resource under \$10,000, this notion that we could just --

>> CHAIR JUDD-STEIN: We'd have to do it competitive.

>> COMMISSIONER ZUNIGA: Yes. This notion for whatever, the first phase that we --

>> COMMISSIONER O'BRIEN: I think a procurement threshold has actually been upped. Isn't it closer to 30?

>> COMMISSIONER ZUNIGA: I don't know about that.

>> COMMISSIONER O'BRIEN: In writing but not necessarily --

>> CHAIR JUDD-STEIN: I think I've been told most recently --

>> COMMISSIONER O'BRIEN: No, but in terms of RFP versus soliciting bids short of that.

>> CHAIR JUDD-STEIN: I was told over 10, I think, in terms of our last one we had where we didn't do a bid. But I think that this could be aired out in that process, and we could come back with some solutions.

>> COMMISSIONER ZUNIGA: Absolutely.

>> CHAIR JUDD-STEIN: And maybe we do split. I think the main thing is whether or not we're going to seek any external resources for help initially.

>> COMMISSIONER ZUNIGA: I think there's a consensus that we are.

>> CHAIR JUDD-STEIN: Here's consensus on that.

>> COMMISSIONER O'BRIEN: So I'm wondering if the motion is more along the lines of confirming the search for the Executive Director in the Mass. Gaming Commission by convening a procurement team to draft, you know, an RFR for executive search skills and an internal organizational assessment survey, something like that, that gives more specific direction to the PMT team, designating Commissioner Zuniga as the Commissioner -- as the point person on that PMT but with a little more direction in terms of what we're looking for.

>> COMMISSIONER ZUNIGA: Sounds good.

>> COMMISSIONER STEBBINS: And again, I think it could do parallel tracks. I think to Commissioner Zuniga's point, the first step may go above a quick process in finding -- in getting three bids to come in to do the work based on --

>> COMMISSIONER O'BRIEN: Maybe we find quickly --

>> CHAIR JUDD-STEIN: I don't think we can do that.

>> COMMISSIONER ZUNIGA: Maybe we find quickly that we cannot.

>> COMMISSIONER O'BRIEN: Right.

>> CHAIR JUDD-STEIN: I think I asked that question. That's why the idea of convening a procurement management team was needed.

>> COMMISSIONER ZUNIGA: Yes.

>> CHAIR JUDD-STEIN: Because it exceeds in cost.

>> COMMISSIONER ZUNIGA: Yep.

>> CHAIR JUDD-STEIN: We recently used a consultant, and that was under \$10,000. If we're envisioning that, you know, very limited resource, you know, perhaps. I think because the process is going to, you know, as we envision maybe require enterprisewide input, it would just be more costly, and \$10,000 was the -- unless we had a statewide resource that we could use.

>> COMMISSIONER O'BRIEN: But it doesn't sound like we do.

>> CHAIR JUDD-STEIN: We don't have that here.

>> COMMISSIONER ZUNIGA: No. We can gain here by doing parallel, as you suggest. We could request three bids, find out quickly whether it's -- anything is doable or not. If it is, we would proceed. If it isn't, we could write anything that would be a two-step process, quote for an internal assessment, and we may decide to do the search on our own or do additional work, that sort of thing. It's -- we could come back and update at any point.

>> CHAIR JUDD-STEIN: My caveat is, one, efficiency in terms of dollars and time.

>> COMMISSIONER ZUNIGA: Yeah.

>> CHAIR JUDD-STEIN: And that this does not become so piecemeal that you've lost the efficiencies.

>> COMMISSIONER ZUNIGA: Absolutely.

>> COMMISSIONER STEBBINS: Right.

>> CHAIR JUDD-STEIN: That would just be a caveat.

>> COMMISSIONER ZUNIGA: Yeah. No, no. It's an assumption.

>> CHAIR JUDD-STEIN: I would also say that I have some other -- as you're thinking, convening little notes, you know, I wrote in my notes that certainly efficient -- it has to be extensive and rigorous search for the resources but compressed in time. I would like to see an organization that's committed to strategies around diversity. They should be comfortable working with public entities subject to open -- the Open Meeting Law and that they have the capacity to really be able to glean input from all our team members.

>> COMMISSIONER STEBBINS: Mm-hmm.

>> CHAIR JUDD-STEIN: Not just at the high level. So that would be just a -- I would be looking for that once we reconvene with respect to the actual approval of any RFP. I would like to have also -- we have a motion. We'll need to have a second. We should informally learn I guess at our next agenda-setting meeting a time line. So we have a motion.

>> COMMISSIONER STEBBINS: Are you going to repeat your question?

>> COMMISSIONER O'BRIEN: I've got a revised motion I can clarify if this makes sense.

>> CHAIR JUDD-STEIN: Thank you.

>> COMMISSIONER O'BRIEN: Madam Chair, I move that the commission approve the commencement of the search process for an Executive Director for the Mass.

Gaming Commission by convening a procurement management team to commence the procurement process for finding finalists for the new Executive Director position and/or conducting an internal organizational assessment. As phase 1. He's phase 2. And then Commissioner Zuniga leading that would be motion.

>> CHAIR JUDD-STEIN: Could you -- I'm sorry, could you repeat it please?

>> COMMISSIONER O'BRIEN: I move that the commission approve the search process for an Executive Director for the Massachusetts Gaming Commission by convening a procurement management team to commence the procurement process for an external firm for the purposes of finding finalists for the new Executive Director position and/or conducting -- and conducting an internal organizational assessment.

>> COMMISSIONER STEBBINS: I like keeping it and/or. Because we might find a firm that could excel at both and it also helps --

>> COMMISSIONER O'BRIEN: Leaves the wiggle room?

>> COMMISSIONER STEBBINS: -- to expedite the time line if we think we can do the first piece without doing a full-blown RFP.

>> COMMISSIONER O'BRIEN: Should I restate? Third time's a charm.

>> COMMISSIONER ZUNIGA: I think it's amended.

>> CHAIR JUDD-STEIN: Do we have it?

>> COMMISSIONER ZUNIGA: Yeah. I think we have it.

>> COMMISSIONER O'BRIEN: Their eyes are glazed.

>> COMMISSIONER CAMERON: I second that motion. I second that motion.

>> COMMISSIONER STEBBINS: Shara's got it.

>> CHAIR JUDD-STEIN: Thank you, Shara. And do we have any further comments? This is really helpful. And I hope feels very open to all of our team here. Okay.

>> COMMISSIONER STEBBINS: Second.

>> CHAIR JUDD-STEIN: We have a second. And all those in favor.

[Vote taken]

Opposed. 5-0.

>> COMMISSIONER O'BRIEN: Madam Chair, I further move to appoint Commissioner Enrique Zuniga to manage the above-referenced procurement team and execute all steps necessary to procure an external firm for the purpose of finding finalists for a new Executive Director and/or conducting an internal organizational assessment.

>> COMMISSIONER CAMERON: Second.

>> CHAIR JUDD-STEIN: Any questions? All those in favor?

[Vote taken]

>> COMMISSIONER ZUNIGA: Abstain.

>> CHAIR JUDD-STEIN: 4 with abstention by Commissioner Zuniga.

>> COMMISSIONER STEBBINS: This doesn't get you out of the annual reporting.

>> COMMISSIONER ZUNIGA: No, it's still a majority.

>> CHAIR JUDD-STEIN: See, he's ducking out on business already. There we go.

On the next part of our Commission -- we're doing -- we're doing still pretty well, Maryann. We have to address interim Executive Director compensation publicly because the Commission does set the Executive Director's compensation. I left it last time that I would work with Commissioner Zuniga to look at best practices. We had

already commenced that work. And what was missing was that we thought it would be most fair for Director Wells and Interim Executive Director Wells to participate and give her insights. We do have a meeting with Karen. We considered best practices that we learn generally by using something called Google. And we also did quite a bit of outreach to -- within the state to learn about how interim compensations are set. Generally, the rule that we've been employing reflects all that we learned with respect to interim compensation. So that was good guidance for us.

The general rule, Commissioner Zuniga, if you disagree, interject, was, you know, a 5% to 15% boost but that you look at factors as the -- what additional tasks are absorbed in the interim and with an understanding that it's not, of course, the actual position. We've already talked with Karen that there are certain tasks that an interim -- it would be inappropriate for her to do because they're long-term tasks, and it would not be the right juncture for her as an interim to tackle them. So we took into consideration also the fact that Director Wells did have this position in the past. The general guidance also mentioned the length, the tenure, of the interim positions and whether it will be short short-term or longer. That's why it's important, as we talked about, the time line for our search.

So I think that we came to a recommendation -- and I'll leave it now to you, Commissioner Zuniga.

>> COMMISSIONER ZUNIGA: Sure. Yeah. The only thing I would add to those remarks is we also look at past practices and consistency among other positions, not only the one interim Executive Director but other interim positions we've had in the past. And with that 5% to 15% in mind, we're recommending a 15% consideration or increase to Director Wells. That would still work to satisfy other things that you pointed out, Chair. It would be slightly less but not much of what our prior Executive Director was making in his full-time capacity. It's --

>> CHAIR JUDD-STEIN: I'm going to help on the math.

>> COMMISSIONER ZUNIGA: Yeah.

>> CHAIR JUDD-STEIN: Because, you know, we have to be transparent here. It is our requirement. Director Wells continues to do her job as IEB Director and is currently paid \$158,445. That, of course, is all a matter of public record. With a 15% increase, it would come up to \$182,213. The prior Executive Director was -- his salary was at \$185,000. So that would be the practical --

>> COMMISSIONER ZUNIGA: End result.

>> CHAIR JUDD-STEIN: -- end result.

>> COMMISSIONER ZUNIGA: And as you mentioned before but maybe I'll add additional clarification. Within that same guideline that you researched relative to the 5% to 15%, if this capacity -- if this role of interim exceeds three or four months and we'll have to come back and evaluate whether, you know, this compensation still is appropriate. And we can come back at any time.

>> COMMISSIONER CAMERON: I think it sounds entirely reasonable. I appreciate the research. Rather than just saying this is a good number, you know, really looking at best practices and whether it be time and prior experience in the position, that makes a lot of sense to me.

>> COMMISSIONER STEBBINS: Yeah. I would agree. I appreciate the due diligence in looking at the process that's been used. I would just raise a caution flag

that what we're setting Karen's interim salary at isn't necessarily a determinant for what salary will be for the next Executive Director because that's all based on years of experience and other factors. So I don't want to necessarily pigeonhole us into saying this would be the salary for the next Executive Director. I think that's still up to our discretion.

>> CHAIR JUDD-STEIN: And that's an important addition.

>> COMMISSIONER O'BRIEN: No, I would agree. I think given the nature of the experience and the position of the departing E.D. and then the roles that Director Wells is taking on and also maintaining the primary responsibilities of an existing unit absolutely warrant doing what would be the 15 under past practice.

>> CHAIR JUDD-STEIN: Right. And I should also note that she has, in the Executive Director position, not the IEB Director position, has absorbed additional management responsibilities. So that was also another factor for us to consider not lost on us. Any further questions? Comments on that?

Not so bad. It is our requirement. So thank you. Do we have a motion?

>> COMMISSIONER STEBBINS: Madam Chair, I'd move the Commission approve an increase of 15% to the salary of investigations and enforcement bureau director Karen Wells as compensation for her performance as Interim Executive Director for pay period 2020 until the Commission appoints a permanent Executive Director.

>> COMMISSIONER CAMERON: Second.

>> CHAIR JUDD-STEIN: Those in favor.

[Vote taken]

Those opposed? 5-0. Thank you.

Now, do we have any further business? Any further updates that you want to discuss?

>> COMMISSIONER CAMERON: No.

>> COMMISSIONER STEBBINS: I have just one real quick one. I had a chance about a month ago to speak to a group that we've regularly been in front of which is a group of hotel finance and tech executives. They've periodically heard from us on what's happening with gaming. And I threw out the question of, you know, this group is primarily centered around -- they primarily work in the Boston area, and I asked just the broad question of what impact have you seen since the opening of Encore Boston Harbor? Considering that summer is a busy month for hotels in the Boston area, the few that responded said we saw no impact really in terms of occupancy during the summer months obviously following the opening of Encore in June. So that was good to hear and that we're not having -- our licensee is not having a negative impact on some of the other businesses but may actually be contributing to the success of everybody. But just anecdotal, not scientific feedback.

>> CHAIR JUDD-STEIN: But something our research will eventually address, I suspect.

>> COMMISSIONER STEBBINS: Hopefully, yep.

>> COMMISSIONER ZUNIGA: Something we'll eventually get to.

>> CHAIR JUDD-STEIN: Anything else?

>> COMMISSIONER CAMERON: No. Move to adjourn?

>> COMMISSIONER ZUNIGA: Second.

>> CHAIR JUDD-STEIN: Those in favor?

[Vote taken]

5-0. And we're at 12:14. Thank you. And thank you to all who helped put this together today.

[Concluded at 12:15 P.M.]