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THE COMMONWEALTH OF MASSACHUSETTS

MASSACHUSETTS GAMING COMMISSION

OPEN MEETING

CHAIRMAN

Stephen P. Crosby

COMMISSIONERS

Gayle Cameron

James F. McHugh (*not present*)

Bruce W. Stebbins

Enrique Zuniga

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AUGUST 14, 2012, 1:00 p.m.

OFFICE OF THE DIVISION OF INSURANCE

First Floor, Hearing Room E

1000 Washington Street

Boston, Massachusetts

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PROCEEDINGS:

CHAIRMAN CROSBY: I think we are ready to call to order the 22nd meeting of the Massachusetts Gaming Commission. We will start out with the approval of minutes. I think we have the minutes for the July 31 meeting and the August 7 meeting. We don't have the minutes for August 8.

Commissioner McHugh, by the way, is on vacation this week, a well-deserved vacation, I might add. So, do we have comments on either? Let's look at August 7.

COMMISSIONER ZUNIGA: I have a couple of very minor typo comments. This seems to be a result of the transcript. There are a number of that that are repeated throughout, two thats. It is all just typographical.

CHAIRMAN CROSBY: Janice, could we just give these to you? There also were two words that I had on page two in the first paragraph, the fourth line from the bottom, the second to last sentence, page two top of the paragraph, it says as soon as the Secretary of State publishes the final version of the regs., the RFA-1 applications can be accepted. I think that really means

1 issued, doesn't that? It's the next-to-last sentence in  
2 the first paragraph on page two. It starts out as soon  
3 as the Secretary of State publishes the final version,  
4 the RFA-1 applications can be accepted. I think it  
5 probably should say issued. Right?

6 COMMISSIONER CAMERON: It makes more  
7 sense.

8 CHAIRMAN CROSBY: Then on -- This is  
9 really minor. -- on page five in the second paragraph,  
10 additional hires, the third line down under additional  
11 hires it refers to begin the search for general counsel  
12 as well as Executive Director of the IEB. It's really  
13 Deputy Director of the IEB.

14 We may talk about titles, but for the time  
15 being those are the titles that are in the legislation.  
16 Let's just give these to Janice. Does anybody else have  
17 comments?

18 COMMISSIONER STEBBINS: Yes. On page  
19 eight, just a quick typo. I think it is the diversity  
20 inclusion forum as opposed to form. Then down below when  
21 we talk about the research agenda, the second sentence  
22 says if there are enough responses, an RFP may be issued.  
23 I would say an RFP will be issued.

24 COMMISSIONER ZUNIGA: Technically, not

1 really, it may or may not, depending on the RFI.

2 Depending on the responses, the Commission may decide to  
3 issue an RFP or not.

4 COMMISSIONER STEBBINS: Okay.

5 CHAIRMAN CROSBY: He is the may/will  
6 expert.

7 COMMISSIONER ZUNIGA: May gives us  
8 flexibility.

9 CHAIRMAN CROSBY: Anything else? Let's  
10 look at July 31, anything?

11 COMMISSIONER STEBBINS: It is pretty cut  
12 and dry.

13 CHAIRMAN CROSBY: Yes. With those  
14 adjustments, those amendments, does somebody want to move  
15 to accept these?

16 COMMISSIONER CAMERON: I make a motion  
17 that we approve the July 31 and August 7 meeting minutes.

18 CHAIRMAN CROSBY: Did you say both?

19 COMMISSIONER CAMERON: I did.

20 CHAIRMAN CROSBY: Good. Second?

21 COMMISSIONER ZUNIGA: Second.

22 CHAIRMAN CROSBY: All in favor? I.

23 COMMISSIONER CAMERON: I.

24 COMMISSIONER STEBBINS: I.

1 COMMISSIONER ZUNIGA: I.

2 CHAIRMAN CROSBY: All opposed? It's  
3 unanimous.

4 To item three, administration, the  
5 Executive Director search update, Commissioner?

6 COMMISSIONER STEBBINS: I had a call with  
7 the folks at JuriStaff this morning. They are continuing  
8 to call the list of, I believe 45 to 50 contacts or  
9 references that they started with. Looking at two calls  
10 scheduled on Friday, kind of initial interview calls. If  
11 those pan out, then we would invite those candidates to  
12 come to Boston for a one-on-one meeting.

13 We've had the posting up. We have talked  
14 about creating a closing date on that posting. The  
15 recommendation would be some time after Labor Day since  
16 a lot of people are out in August, may not have a chance  
17 to see it. My recommendation is we close it on the close  
18 of business on September 14.

19 Again, it doesn't stop us from screening  
20 and moving ahead with qualified candidates that JuriStaff  
21 has recommended. But in terms of just creating a closing  
22 date for the posting, I think it would be helpful.

23 CHAIRMAN CROSBY: When did we post it?

24 COMMISSIONER STEBBINS: I think it went

1 up --

2 COMMISSIONER ZUNIGA: -- July 30.

3 COMMISSIONER STEBBINS: -- July 30. So,  
4 the end of July, but August is such a quiet month anyways.  
5 People away on vacation may not see it. I just think for  
6 efforts of transparency and openness and trying to  
7 solicit a broader pool of applicants as possible just  
8 leaving it up for that short period after Labor Day.

9 I think Labor Day is the third. This would  
10 be essentially the Friday of the following week. Again,  
11 it is not slowing us down in terms of contacting people  
12 or doing follow-up with potential applicants. I think  
13 it just sets a deadline for the posting.

14 CHAIRMAN CROSBY: Would it slow us down?  
15 Just think through. Where are we now? We are basically  
16 in the middle of August. If we came to -- If we thought  
17 we had two or three or four, three, I guess, targeted  
18 finalists, might we have that by September 7? So, we  
19 don't want to sit on our hands for a week. Or is that  
20 too fast?

21 COMMISSIONER STEBBINS: Again, I throw it  
22 out for everybody's consideration. Anybody coming back  
23 after Labor Day has maybe a little over a week to think  
24 about it, pull a resume together and get it into us by

1 the 14th.

2 We can turn around Monday the 17th and say  
3 we have our list of four to five finalists we want to begin  
4 to put in front of the Commission. It is not slowing us  
5 down in that perspective.

6 On the outside chance that an incredible  
7 candidate that somehow we missed comes through, I think  
8 giving them that little extra window of time after the  
9 Labor Day holiday would be helpful.

10 CHAIRMAN CROSBY: Are you guys okay with  
11 that?

12 COMMISSIONER CAMERON: I think Mr.  
13 Chair's point about maybe the seventh -- In this day and  
14 age when people have Blackberries and communication is  
15 much easier, I can't imagine there is a serious candidate  
16 who would have missed it for that long.

17 I just think the seventh does give us an  
18 extra week, especially where it may take us time once an  
19 offer is made to get someone. If the person has to  
20 relocate, all of that is time consuming, I think.

21 When in July was that posting in?

22 COMMISSIONER STEBBINS: It was the end of  
23 the month. It was either the 30th or the 31st.

24 COMMISSIONER CAMERON: That would be five

1 full weeks, correct?

2 COMMISSIONER STEBBINS: Five and a half.

3 COMMISSIONER ZUNIGA: I did want to make  
4 a point. That is when we did the official posting after  
5 a number of days talking about it here, because we were  
6 hashing out the details of the job description. We had  
7 already announced and talked a lot about our search, an  
8 ongoing search even when we were hiring the search firm.

9 CHAIRMAN CROSBY: Right.

10 COMMISSIONER STEBBINS: Again, I am fine  
11 with the seventh. My goal is let's set a date, allow for  
12 a little window of time after Labor Day. But I am happy  
13 with the seventh if that's agreeable to everybody.

14 CHAIRMAN CROSBY: Okay. Let's do that.  
15 We will set the seventh as the closing date.

16 COMMISSIONER STEBBINS: Yes.

17 CHAIRMAN CROSBY: What else, just out of  
18 curiosity what else do you see -- So, you are talking to  
19 people. That means the search firm would have already  
20 said these two people you are going to talk to, the search  
21 firm has already vetted them, think it's worth your having  
22 an oral interview?

23 COMMISSIONER STEBBINS: Right.

24 CHAIRMAN CROSBY: And then if they get



1 through the oral interview with you, then you would bring  
2 them in for you all to talk to?

3 COMMISSIONER STEBBINS: Right.  
4 JuriStaff has been great in terms of kind of aligning some  
5 questions, which are easier, open-ended questions to  
6 conduct by phone. More detailed questions -- And another  
7 point I want to make is that JuriStaff will be reaching  
8 out to each of you individually to pull some questions  
9 together, which I think will probably get more to some  
10 nuts and bolts questions about the operation of the  
11 Commission and their experience, which I think will help  
12 us.

13 I would save those for the one-to-one  
14 in-person interviews as opposed to the general  
15 discussion, feeling somebody out about a position, about  
16 why they might be interested in the opportunity. And  
17 saving them a trip to Boston if in the end we didn't get  
18 a feel that they were right. But using the second  
19 one-on-one interview to really get into the nuts and bolts  
20 questions that we all have as individuals as our  
21 priorities of how we see the position fitting in.

22 CHAIRMAN CROSBY: Okay.

23 COMMISSIONER STEBBINS: That's all I had  
24 to report. We will get the posting date or closing date

1 up on the website.

2                   COMMISSIONER ZUNIGA: I have a question  
3 relative to process as something we may or may not want  
4 to consider. I was thinking whether it would make sense  
5 to have finalists, however many, or those that pass some  
6 initial screening, write down a type of application to  
7 be submitted to the Commission, if you will, some form  
8 of open-ended questions in writing, what you are  
9 describing somewhat, but having them part of a written  
10 record.

11                   I am wondering if that could help the rest  
12 of the Commission sort of see the responses or the  
13 thoughtfulness of the applicants.

14                   CHAIRMAN CROSBY: Put to the finalists?

15                   COMMISSIONER ZUNIGA: Yes or maybe a  
16 larger group. Finalists maybe really important, but  
17 whether it makes sense to have that on a larger group.  
18 I am just tossing it out as an option.

19                   COMMISSIONER STEBBINS: That is a good  
20 question, a good option. I was considering pursuing  
21 having again, a list of questions, which we ask every  
22 candidate so we are not picking and choosing around  
23 questions for an individual. I would kind of complete  
24 those questionnaires or responses as I was going through

1 the interview process and then share those kind of answer  
2 sheets with you. But if that suits kind of the endgame  
3 you want to pursue, that's fine. Or we could put it to  
4 a candidate to fill them out. But I thought I would  
5 simply complete the answers as we went through the  
6 interview.

7 COMMISSIONER ZUNIGA: Okay, just  
8 understanding the process.

9 CHAIRMAN CROSBY: Okay. Great.  
10 Additional hires, we mentioned the ombudsman down below.  
11 We will talk about the Racing. I guess we are going to  
12 take a brief pause on this because Commissioner McHugh  
13 is working on the job description for the general counsel.  
14 And you are working on the Racing Commission. And you  
15 two are collaborating on the Deputy Director for the IEB,  
16 Investigations and Enforcement Bureau. I guess the only  
17 other one is the junior attorney or staff attorney.

18 COMMISSIONER ZUNIGA: I can give a brief  
19 update on the staff attorney. There is a number of  
20 respondents that JuriStaff has now compiled. The  
21 process is that that would go to Jim, Commissioner McHugh  
22 given his expertise in the area.

23 He requested that he be given 10 resumes  
24 that he can then look at and select maybe three to

1 interview, which he wants to do. When he comes back from  
2 vacation that will be ready.

3 CHAIRMAN CROSBY: Great. We definitely  
4 sorted through all of the people who came in over the  
5 transom earlier on, either for this one or for that matter  
6 for the ED.

7 MS. REILLY: Yes.

8 CHAIRMAN CROSBY: Great. The next item  
9 is one of our biggest ones for the day, which is the  
10 employee manual. Something I think our audience will be  
11 sitting at the edge of their seats waiting for discussion.  
12 Let's go to Commissioner Zuniga to walk us through this.

13 COMMISSIONER ZUNIGA: Thank you. I  
14 submitted as part of the packet what constitutes the  
15 directory of the employee manual and policy questions in  
16 the relevant sections that I thought would be worth  
17 initial discussion in an open meeting. I can take them  
18 one at a time, I suppose.

19 Initially, we have this general statement  
20 about employment at will at the Massachusetts Gaming  
21 Commission. There is specific language that stipulates  
22 the current status of the Commission. But the policy  
23 question here is whether that may or may not be the case  
24 in the future as it relates to employees coming in again

1 in the mid or longer term.

2 CHAIRMAN CROSBY: Do we have any  
3 analogues? You and I might have talked about this, but  
4 are there other agencies, which have similar missions  
5 that give us a model on this?

6 COMMISSIONER ZUNIGA: Yes. There is a  
7 couple of points or areas to look at. We could look at  
8 the Lottery, for example, here in Massachusetts that has  
9 nexus or has similarities to what this Commission may one  
10 day be. One that has a management structure in central  
11 offices but also has inspectors that do more of the  
12 on-the-ground work.

13 Correct me if I'm wrong, but there are  
14 union employees as part of that within the Lottery, but  
15 not at management or central office structure.

16 I have made inquiries to our consultants  
17 relative to other commissions throughout the country.  
18 And the general feedback is that there does not seem to  
19 be a lot of union employment in these commissions in other  
20 jurisdictions, which may be more a reflection of the other  
21 states not necessarily the commissions.

22 CHAIRMAN CROSBY: Do you have a sense of  
23 that of what the situation was in New Jersey?

24 COMMISSIONER CAMERON: Yes. Again, the

1 Commission is separate from the Division of Gaming  
2 Enforcement, which had all of the enforcement and  
3 background investigation folks who are union employees.  
4 The Commission itself, it is my understanding that those  
5 folks are not union employees. But that is more the  
6 management structure and support rather than the actual  
7 investigators.

8 I know ABBC here in this State also has a  
9 combination, very similar to the Lottery. The folks that  
10 are out there in the field are union employees but the  
11 management staff is not.

12 One of the things we have to take into  
13 consideration are those employees coming over from  
14 Racing, which presently has three separate unions. One  
15 of them we probably will not have union employees, but  
16 the other two will be employees. We have the discretion  
17 to move in either direction.

18 But it is something to consider those folks  
19 that are already part of a union that will be our  
20 employees.

21 CHAIRMAN CROSBY: Right.

22 COMMISSIONER ZUNIGA: I think this  
23 particular question in my mind is a really good example  
24 of how this manual could really evolve. We may have some

1 reality now, but something different soon or later and  
2 might need to be revised from time to time. I just wanted  
3 to kind of set that as a general thought for the manual.

4 COMMISSIONER CAMERON: I think it would be  
5 helpful to really do some investigative work on other  
6 commissions. And are there reasons why they choose not  
7 to have union employees? Is there something in gaming,  
8 whether it be the licensing process, the background  
9 investigation, I'm just not sure if there is a reason to  
10 consider not having unions. I don't have that answer.

11 CHAIRMAN CROSBY: I think we need to talk  
12 to the State people as well at HRD to make sure we know  
13 what our options are. I don't know what flexibility we  
14 have exactly. So, let's do both of those things. Let's  
15 do more research on the other state jurisdictions but also  
16 talk with the local people and see what the local human  
17 relations people to be sure we know what the options are.

18 I can see in an agency like this you're  
19 going to want to have a lot of flexibility to eliminate  
20 people immediately if there is any hint of a problem which  
21 is kind of counter to the whole point of union  
22 protections. On the other hand, we are going to have  
23 State Police and they're in unions.

24 COMMISSIONER CAMERON: When you mentioned

1 the State Police, in New Jersey although they were  
2 unionized employees, if you choose to take this  
3 specialist position and be part of the Casino Gaming  
4 Bureau, you do not have your union protection per se.

5 CHAIRMAN CROSBY: Oh really?

6 COMMISSIONER CAMERON: Yes. In other  
7 words, you can at any time if the assignment is not working  
8 out, when you take the assignment you know you can be moved  
9 in a day's notice. That is part of the special  
10 assignment.

11 And there are areas in which our  
12 Massachusetts Troopers abide by a similar agreement.  
13 Overall, they are union employees, but when they take  
14 these specialist assignments --

15 CHAIRMAN CROSBY: Right. That's what I  
16 think the Colonel was telling us. Like if you are  
17 assigned to the AG's office or the IG someplace, you  
18 choose to not have certain kinds of protections.

19 COMMISSIONER CAMERON: Correct.

20 CHAIRMAN CROSBY: Okay. This is a big  
21 question, I think. And it should be clear to everybody  
22 that this is a draft and we are thinking about how this  
23 works. And we will do some more research both locally  
24 and nationally to better inform ourselves to make this



1 policy decision.

2                   COMMISSIONER ZUNIGA: Just for the  
3 record, the question I was posing here was whether by  
4 simply including the language we have taken some kind of  
5 policy position intended or not.

6                   CHAIRMAN CROSBY: I think we clearly have.  
7 I don't know how you can be a union employee and be an  
8 employee at will. I don't know enough about it. So, we  
9 will check this out.

10                   COMMISSIONER ZUNIGA: Should I keep  
11 going?

12                   CHAIRMAN CROSBY: Sure.

13                   COMMISSIONER ZUNIGA: Hiring process, the  
14 policy question here is we currently have drafted in the  
15 manual the following language: After background checks  
16 are complete -- And it is background checks in the plural.  
17 -- the Commission, the Director or designee shall choose  
18 whether to make an offer and to which candidate.

19                   This is language that I mirrored from the  
20 Attorney General's office. And this language suggests  
21 that more than one background check will be conducted on  
22 more than one candidate. I guess one background check  
23 will be conducted on more than one candidate. Where it  
24 also suggests that the background check maybe a deciding

1 factor to offer employment or not.

2 That is counterbalance to the notion of  
3 could we stipulate or should we stipulate that no offer  
4 of employment will be made until a background check has  
5 been passed?

6 COMMISSIONER CAMERON: Another way to  
7 phrase that that I think makes more sense is that it is  
8 a conditional offer of employment. And the condition is  
9 you have to successfully pass the background because that  
10 way we know.

11 A person could apply for a position and  
12 then change their mind. To go through the time and the  
13 expense of a background when they are not interested  
14 probably doesn't make sense. This way you know they are  
15 interested. There is a conditional offer of employment.  
16 And that way we know they are interested and we are going  
17 to go forth with the background.

18 That is the term that is used in policing  
19 organizations. You have a recruit and they know that  
20 they have to pass the background. So, it is a conditional  
21 offer of employment that you make to that individual.  
22 That way --

23 CHAIRMAN CROSBY: That make sense to me  
24 what you just got through saying. But it seems to me we

1 might want to write it in such a way that we have a pretty  
2 broad range of flexibility.

3           There may be reasons and I don't know what  
4 it would be where we might decide we want to do a  
5 background check in advance. I think in the scope -- in  
6 the plan, which we don't have to adhere to but at the  
7 moment the plan for the ED is that we would do background  
8 checks on all of the finalists in advance of interviewing  
9 them and making the decision.

10           We may not want to do that, but I think it  
11 makes sense to be able to do any of those things. We  
12 certainly already said we will not make final offers or  
13 announcements. We will make no binding offer on us and  
14 will make no announcement until the background checks are  
15 completed. That is an absolute.

16           But as to when we do the background check  
17 and whether we do it on more than one finalist I think  
18 we should leave ourselves the flexibility. So, however  
19 you have to write it --

20           COMMISSIONER ZUNIGA: Sure.

21           CHAIRMAN CROSBY: -- to accomplish that.

22           COMMISSIONER ZUNIGA: Whereas the  
23 background check does not make a determination rather it  
24 is a conditional offer of employment.

1                   CHAIRMAN CROSBY: What I am saying is we  
2 could leave it. If we follow the conditional that is one  
3 way. I am saying we should leave it open so that we can  
4 use whichever of those approaches we want.

5                   COMMISSIONER CAMERON: The way to leave it  
6 open would be to say to the candidate you are a finalist  
7 for the position and we would like to begin a background  
8 investigation. They have to be notified because there  
9 is interaction with that candidate during the background  
10 investigation.

11                  COMMISSIONER ZUNIGA: The Commission at  
12 that point will have the ability to do one at a time or  
13 multiple at that time.

14                  CHAIRMAN CROSBY: Right.

15                  COMMISSIONER ZUNIGA: A following through  
16 on 1.5.5, the employment of relatives. From what I can  
17 gather on agencies, most Commonwealth agencies do allow  
18 for relatives to be employed by different State agencies.  
19 I contemplate that some State agencies may be large enough  
20 that there will be sometimes even family employment  
21 within the State agency.

22                         In such instances there is also specific  
23 language relative to coworkers who become domestic  
24 partners or married to allow for that. As I currently

1 have it drafted, the current draft is not permissive  
2 within the small Commission to have employment of  
3 relatives but does recognize that there may be relatives  
4 in other State agencies.

5 COMMISSIONER CAMERON: Are we sure that we  
6 want to go down that road and have an absolute that there  
7 can't be a relative? I am thinking of an example like  
8 an inspector out at a casino. They are an agent of the  
9 Commission.

10 And if we had an inspector out at a casino  
11 in say Western Massachusetts, then that person may have  
12 a brother or sister that has similar skill sets and would  
13 like to make application in a Boston location or the  
14 Boston region. Are we sure we want to -- I think we have  
15 to be very careful about making sure our selection process  
16 is sound. But I don't know that -- Is there a reason that  
17 we have to be so absolute about employees?

18 COMMISSIONER ZUNIGA: We are not being  
19 absolute. The reason of me bringing this up, I thought,  
20 was relevant in the context on the enhanced code of ethics  
21 that we have to formulate in the near future, but not part  
22 of this handbook. But whether that at some point will  
23 counter to that code of ethics. I am just bringing it  
24 out there, but if there is no concerns about that. I

1 thought it was relevant.

2                   CHAIRMAN CROSBY: We can change it, as  
3 you've said. We can change this. I am kind of inclined  
4 with Commissioner Cameron. I don't know why -- You say  
5 in your note here that it is often the case that you  
6 prohibit supervisory/employee relationships within a  
7 family. That I think makes sense.

8                   But I don't see the public interest in this  
9 very strict rule of why you couldn't have a relative. It  
10 can't be my relative, because then it would be  
11 supervisory. And it can't be within a department in a  
12 chain of command. I don't see why we would want to  
13 preclude people in this completely strict way.

14                   I would say until we get to the Ethics  
15 Commission -- ethics rule, which as you say may change  
16 things that 1.5.5 ought to be redrafted to relate only  
17 to the supervisory/employee relationship with relative  
18 defined in the same way you have it here. Does that make  
19 sense?

20                   COMMISSIONER ZUNIGA: That makes sense.  
21 Section 2.8 I had drafted initially language relative to  
22 sensitive information, but since then our regulations are  
23 very detailed relative dealing with confidential  
24 information. So, the point of me bringing this up is I

1 will strike what is currently drafted and refer simply  
2 in summarized to our regulations because they are really  
3 so much more detailed and robust.

4                   2.9 this is relative to supplemental  
5 employment and business activities. Our own statute  
6 provides in section three subsection O the requirement  
7 of all employees and Commissioners to request written  
8 approval prior to employment elsewhere besides the  
9 Commission. So, that is incorporated.

10                   My question here is do we want to require  
11 prior written approval for certain activities which may  
12 not be paid and be more explicit in that regard? Some  
13 activities advocacy, etc., also run close to the  
14 questions about ethics and other things.

15                   COMMISSIONER CAMERON: I think this is a  
16 good requirement. I think it is very important. There  
17 can be conflicts. And to ask in writing if you can do  
18 certain things I think makes a lot of sense. It's very  
19 common in again public safety positions.

20                   CHAIRMAN CROSBY: That is only for pay.  
21 This now lets you do non-profit or not-for-pay things the  
22 way it is written, right? You define activates that are  
23 not supplemental employment or business activity would  
24 include unpaid work for civic, scouts, religious, etc.

1                   COMMISSIONER ZUNIGA: In the current  
2 draft, yes.

3                   CHAIRMAN CROSBY: In the current draft,  
4 right. The way it is written now, it preclude -- You have  
5 to get permission to get work for pay, but it does not  
6 preclude work for unpaid.

7                   COMMISSIONER ZUNIGA: I am bringing up the  
8 question should we.

9                   CHAIRMAN CROSBY: I thought that  
10 Commissioner Cameron was approving of the for-pay  
11 preclusion, but I am not sure what you were saying  
12 relative to the second part.

13                   COMMISSIONER ZUNIGA: Unpaid.

14                   CHAIRMAN CROSBY: The part that is on page  
15 19 of the draft. I don't know. As long as the advocacy  
16 doesn't relate to our work that the unpaid work doesn't  
17 relate to our work, which is dealt with here under section  
18 four, you see any advocacy activity paid or unpaid is  
19 precluded. This is on page 18. I don't see why we would  
20 want to extend it to unpaid activities.

21                   COMMISSIONER ZUNIGA: I am really taking  
22 a page from the statute that seems broad, which says no  
23 employee of the Commission shall pursue any other  
24 business or occupation or other gainful employment --



1 Maybe that is the answer, gainful employment. -- outside  
2 of the Commission without prior written approval.

3 Do we want to interpret that as meaning  
4 only paid activities or is there any unpaid activities  
5 that may fall under this restriction? That was the  
6 question. I haven't seen for other agencies this  
7 restriction and that is where --

8 COMMISSIONER CAMERON: Have we looked at  
9 any other gaming handbooks for gaming commissions?

10 COMMISSIONER ZUNIGA: Not on this issue,  
11 no.

12 COMMISSIONER CAMERON: I can't think of a  
13 reason, but I just don't know if we are missing something.

14 CHAIRMAN CROSBY: If you look at the  
15 examples, there are six examples here in the present draft  
16 of things that are non-excluded, in other words that you  
17 can do. Unpaid work for civic, scout, religious,  
18 educational, fraternal, social, etc., serving as a notary  
19 public or JP, justice of the peace, serving as a trustee,  
20 guardian, conservator, executor, administrator for your  
21 immediate family. Renting property, although you can't  
22 rent to the Commission. Personal, professional  
23 involvement in the community like a bar association.  
24 Performing minor services and odd jobs for friends.

1                   That is the range of not-for-pay  
2 activities. That makes some sense to me. I would say  
3 the presumption ought to be to leave it the way it is.  
4 Judge McHugh might want to read the statute to make sure  
5 that he doesn't find this inconsistent with the statute.  
6 But I think he has already seen this anyway, right?

7                   COMMISSIONER ZUNIGA: Yes, he has.

8                   CHAIRMAN CROSBY: For the first round at  
9 least, I would prefer to leave it this way. The only  
10 suggestion I have is on page 18 on section four that you  
11 have highlighted in yellow, it says any advocacy activity  
12 paid or unpaid for or against the presence of a casino.  
13 And I think that should say a gaming facility, because  
14 it would apply to a slots parlor too obviously.

15                  COMMISSIONER ZUNIGA: That would be a  
16 restricted --

17                  CHAIRMAN CROSBY: That is something you  
18 can't do.

19                  COMMISSIONER ZUNIGA: Even if it's  
20 unpaid.

21                  CHAIRMAN CROSBY: Right. You can't be a  
22 lobbyist for a casino or a slots parlor.

23                  COMMISSIONER STEBBINS: On page 19 with  
24 respect to renting properties income, I would like to

1 potentially throw it out there whether that should not  
2 just -- Obviously, nobody is going to rent property to  
3 the MGC, but I would extend that to include anybody who  
4 may have business before the MGC.

5 CHAIRMAN CROSBY: That's interesting.

6 COMMISSIONER STEBBINS: I have office  
7 space and somebody comes in that --

8 CHAIRMAN CROSBY: Somebody wants to rent  
9 my garage for \$100,000 a month, right.

10 COMMISSIONER STEBBINS: And the other  
11 question I had is on number five on page 19. Obviously,  
12 each of us is restricted from participating in the State  
13 and local political organizations. The question becomes  
14 do we extend that kind of restriction throughout the  
15 organization or whether that begins to step over the lines  
16 of somebody's ability to have freedom of speech.

17 CHAIRMAN CROSBY: Are precluded?

18 COMMISSIONER STEBBINS: Yes.

19 CHAIRMAN CROSBY: We can't be involved in  
20 support of candidates?

21 COMMISSIONER STEBBINS: We can support  
22 candidates but there was restrictions to us in terms of  
23 being an officer within a political party organization.

24 COMMISSIONER ZUNIGA: Fundraisers.

1                   COMMISSIONER STEBBINS: I think there may  
2 be a little clarification that might be required. Again,  
3 we are restricted. Do we extend that restriction to the  
4 rest of the organization?

5                   CHAIRMAN CROSBY: That's a good point.

6                   COMMISSIONER STEBBINS: Again, that might  
7 be a question that pops up in another gaming jurisdiction.

8                   CHAIRMAN CROSBY: I think your first point  
9 on item four is a good one. It is probably precluded some  
10 other place, you can't have a business transaction. In  
11 fact, it would probably come up with a particular matter  
12 in the Ethics Commission stuff.

13                   If you are involved in --

14                   COMMISSIONER ZUNIGA: It's a 268A issue.

15                   CHAIRMAN CROSBY: That would be covered by  
16 this. In other words, if you wanted to rent your property  
17 and they were involved in a particular matter --

18                   COMMISSIONER STEBBINS: You disclose it  
19 prior.

20                   CHAIRMAN CROSBY: -- you disclose it and  
21 have to get permission depending on which version it was.  
22 I think it is already covered, but having said that it  
23 may not be a bad idea to add that in to section four.

24                   Section five, I don't know. Should our

1 Deputy Director of Enforcement and Investigations be able  
2 to be involved in the next governor's race?

3 COMMISSIONER CAMERON: I think not.

4 CHAIRMAN CROSBY: Right now a State  
5 employee can. You can't --

6 COMMISSIONER ZUNIGA: After business  
7 hours.

8 CHAIRMAN CROSBY: You can't raise money on  
9 State property.

10 COMMISSIONER ZUNIGA: Or on State time.

11 CHAIRMAN CROSBY: Right. It's  
12 interesting. Why could the Under Secretary of  
13 Administration and Finance be involved in the governor's  
14 race and not the Deputy Director for Investigations and  
15 Enforcement?

16 COMMISSIONER CAMERON: Because there may  
17 be a particular position with regard to gaming that is  
18 either favorable or not favorable with a licensee or  
19 something. The Deputy Director has direct authority  
20 over licensing.

21 COMMISSIONER ZUNIGA: The way I think  
22 about it is also getting close to this other notion of  
23 this enhanced code of ethics. I don't know how close.  
24 I don't know that we have crossed that line, where the

1 code of ethics stops in the organization. It's clear  
2 that it's for Commissioners.

3 CHAIRMAN CROSBY: It is for the whole  
4 Commission, right.

5 COMMISSIONER ZUNIGA: It is also more  
6 enhanced.

7 CHAIRMAN CROSBY: This is one I would be  
8 interested in hearing Commissioner McHugh's thoughts but  
9 also I do think you are right that we can get at this in  
10 our -- We can rethink this. At the moment, all of our  
11 employees can participate in State and local politics  
12 within whatever the current rules are. That could be  
13 readdressed once we do our ethics document, our new ethics  
14 rules.

15 COMMISSIONER CAMERON: You know that this  
16 is an area where there are restrictions with other  
17 commissions.

18 CHAIRMAN CROSBY: Okay. Well, that would  
19 be interesting to find out too.

20 COMMISSIONER STEBBINS: Again, we have  
21 restrictions in the statute. It might be a good  
22 opportunity to look at other jurisdictions to see how far  
23 down it goes. It may not extend to the entry-level  
24 positions. It may just be mid-management.

1                   CHAIRMAN CROSBY: We've got some work to  
2 do on this one.

3                   COMMISSIONER ZUNIGA: Another one more  
4 research required. 3.3.4 temporary alternative work  
5 schedule, I have included language relative to options  
6 for telecommuting, which has become more and more a  
7 convenience. The language includes -- I was very  
8 specific that this would be subject to the approval of  
9 the Executive Director.

10                   My point in bringing this up is that all  
11 of the model handbooks were silent on this option.

12                   COMMISSIONER CAMERON: But it is a  
13 practice commonly occurring in State government.

14                   COMMISSIONER ZUNIGA: Yes.

15                   CHAIRMAN CROSBY: In other words, you're  
16 saying if we say nothing on this, then managers will have  
17 the ability to manage comp. time.

18                   COMMISSIONER ZUNIGA: I'm actually before  
19 comp. time. I'm on the alternative work schedule on  
20 telecommuting.

21                   CHAIRMAN CROSBY: Okay.

22                   COMMISSIONER ZUNIGA: What I am familiar  
23 with in other handbooks is mostly as a State employee  
24 there is no option of telecommuting. You come in as a

1 way of being the face of the State service.

2 I am posing the question that perhaps as  
3 the business of the Commission has to rely more on -- This  
4 is especially true of the investigative function. If it  
5 is at times easier, more convenient and there is a real  
6 business case to have somebody telecommute that would be  
7 subject to the approval of the Executive Director ad hoc  
8 or on a case-by-case basis. I am suggesting we may  
9 include flexible language that may allow us to do this

10 CHAIRMAN CROSBY: What do you do? You now  
11 do that.

12 COMMISSIONER ZUNIGA: Yes. We now do  
13 that in the current draft, again, subject to the approval  
14 of the Executive Director.

15 COMMISSIONER STEBBINS: I'm kind of  
16 surprised none of the State policies are showing up with  
17 that allowance.

18 COMMISSIONER CAMERON: It is a business  
19 practice today in State government.

20 COMMISSIONER STEBBINS: Even the Feds. do  
21 it.

22 CHAIRMAN CROSBY: I don't know why you  
23 necessarily need the word temporary in here. Why not  
24 just alternate work schedule and telecommuting. If



1 somebody wants to say every Friday you can work from home,  
2 if it works out for the manager, works out for the  
3 employee, it's fine with us.

4 COMMISSIONER STEBBINS: I think temporary  
5 work schedule would get to somebody who is caring for --

6 CHAIRMAN CROSBY: I understand that. But  
7 if you take out the word temporary, temporary is included,  
8 but now you have limited it to temporary.

9 COMMISSIONER STEBBINS: That's true.

10 CHAIRMAN CROSBY: I would leave it the way  
11 it is except take the word temporary out in the several  
12 places where it shows up.

13 COMMISSIONER ZUNIGA: Still subject to  
14 the approval of --

15 CHAIRMAN CROSBY: Still subject to the  
16 approval of the manager, the ED in this case, yes.

17 COMMISSIONER ZUNIGA: In the same venue  
18 compensatory time. I had drafted from other models a  
19 very explicit procedure for compensatory time. If we  
20 were silent on this, we would be giving more flexibility  
21 to the manager/employee relationship to allow for on an  
22 ad hoc basis under circumstances investigation, whatever  
23 it may be to allow those two parties to figure that out.  
24 I am suggesting if we delete the current language that

1 I had drafted, we would allow that flexibility.

2 COMMISSIONER CAMERON: That is an  
3 important flexibility.

4 CHAIRMAN CROSBY: We definitely want to  
5 have it. There's no question about that. The question  
6 is whether we need some kind of documentation  
7 requirement. Because it can be abused and it's the kind  
8 of thing that the press sees only part of the deal that  
9 somebody is home some afternoon without there being a  
10 backup that says yes, he is home that afternoon because  
11 he worked all day Sunday. It seems like maybe there ought  
12 to be some kind of either approval process. Be very  
13 flexible about what you can do in terms of comp. time but  
14 moderately rigorous on having documentation.

15 COMMISSIONER ZUNIGA: To that end, as I  
16 mentioned here, this would be supplemented -- either way,  
17 it would be supplemented by a detailed procedure of  
18 tracking time, which we have started to do a lot more  
19 formally. So that the record is there.

20 We will also be moving to this electronic  
21 time and attendance system that the State has started to  
22 implement with different agencies where we are going to  
23 be part of that.

24 COMMISSIONER CAMERON: Drop-down menus

1 and can clearly articulate this.

2                   COMMISSIONER ZUNIGA: Right. Everybody  
3 signs into a website, logs in their hours, the time in  
4 and out and the supervisor approves that that's  
5 appropriate.

6                   CHAIRMAN CROSBY: Maybe there is to be  
7 reference to that here. Maybe not to have nothing there,  
8 you ought to have the section be there with something that  
9 says --

10                   COMMISSIONER CAMERON: -- appropriate  
11 documentation.

12                   CHAIRMAN CROSBY: This is acceptable with  
13 appropriate documentation.

14                   COMMISSIONER ZUNIGA: So, the consensus  
15 is to allow for the flexibility?

16                   COMMISSIONER CAMERON: Yes, particularly  
17 important with investigations.

18                   COMMISSIONER ZUNIGA: If something goes  
19 over the weekend.

20                   CHAIRMAN CROSBY: While you are on this  
21 page, Enrique, under travel expenses 3.4.4, it says  
22 airline reservations are preferably coordinated with the  
23 Chief of Staff. That would be right now probably, but  
24 that won't be right for very long I don't think. I don't

1 even know why you need that sentence in there at all. Do  
2 we really need to say who coordinates the travel? It  
3 doesn't want to be our Chief of Staff for very long, I  
4 don't think.

5                   COMMISSIONER ZUNIGA: No. Relative to  
6 expense reimbursement, we are currently silent relative  
7 to miles for commuting, which is pretty much the norm with  
8 other State agencies. However, we will have sometimes  
9 different locations throughout the State and different  
10 assignments. People may be residing in one area,  
11 originally assigned to say one jurisdiction -- one casino  
12 but later be envisioned to be assigned somewhere else for  
13 all kinds of reasons. And whether we want to in  
14 anticipation of that think about a reimbursement for  
15 miles outside of a certain area or radius of the person's  
16 residence.

17                   CHAIRMAN CROSBY: The extreme cases right  
18 now are Commissioner Cameron and Stebbins who have to  
19 incur tremendous expense. Is that done? Do you just  
20 sort of do an arbitrary standard?

21                   COMMISSIONER ZUNIGA: We could come up  
22 with a radius under which no reimbursement is -- It is  
23 understood that that is part of commuting. Outside of  
24 that radius, we could begin to reimburse for the marginal

1 mile after that. That would recognize that there is  
2 participation from larger parts of the State.

3 COMMISSIONER CAMERON: And the other  
4 thing we have not discussed yet is Commission vehicles.  
5 What assignments would be appropriate to have vehicles,  
6 what jobs require them? That is another whole  
7 conversation at some point that we should have.

8 CHAIRMAN CROSBY: A lot of people have  
9 said that the Chair should have a Maserati.

10 COMMISSIONER ZUNIGA: I would like to see  
11 that record.

12 CHAIRMAN CROSBY: So, we can leave this  
13 flexible so that we have the ability to do it. I don't  
14 see any reason why people who are commuting from way  
15 beyond the norm shouldn't be able to get paid their costs.  
16 It shouldn't become a profit center, but it ought to --

17 COMMISSIONER ZUNIGA: It's wear and tear.  
18 It would be done at the rate of the State. The rate that  
19 the State stipulates the reimbursement rate per mile.  
20 That would simply be counting the miles up to some  
21 threshold.

22 COMMISSIONER STEBBINS: I have got to  
23 think it is a good idea to have the flexibility. I think  
24 you are going to get into a debate as to what is that line,

1 what is that radius?

2 COMMISSIONER ZUNIGA: I am thinking out  
3 loud a little bit, but we could figure out the average  
4 commute distance in Metro Boston, which is where we are  
5 currently located and reimburse beyond that.

6 COMMISSIONER CAMERON: Many states will  
7 have 30 or 35 miles and anything over that is  
8 reimbursable.

9 CHAIRMAN CROSBY: It's fine with me. I do  
10 think that makes sense all of the way from Commissioners  
11 on down. Is that right? If you apply for a job -- If  
12 you apply to become an administrative assistant in Boston  
13 and you live in East Hampton and you get the job, should  
14 the Commission pay your commuting costs?

15 COMMISSIONER ZUNIGA: Effectively under  
16 this scenario after some radius, after some distance, the  
17 marginal distance we would.

18 COMMISSIONER CAMERON: I think lots of  
19 people would consider that as part of their hiring  
20 process. The way to do that is when you do have regional  
21 offices you would offer that person employment in the  
22 closer office, which in most positions they would prefer.  
23 I think that is the extreme case, because then you are  
24 paying a lot of money. Is that a good business decision?

1                   CHAIRMAN CROSBY: You might not hire  
2 somebody because they are from East Hampton as opposed  
3 to all other things being equal you would hire the close  
4 person?

5                   COMMISSIONER ZUNIGA: I doubt that the  
6 reimbursement mile will be the deciding factor between  
7 somebody applying or not but that's just me. I think  
8 reimbursing for miles would purely recognize the idea of  
9 having people from throughout the State, because we are  
10 a statewide agency.

11                   Unlike other statewide agencies, the  
12 business that they do is different from ours. There's  
13 need and this notion that it is important to be close to  
14 the licensees eventually, things like that.

15                   COMMISSIONER STEBBINS: I also think the  
16 individual, they are contemplating okay, I get  
17 reimbursed, but I am also challenged that I have an hour  
18 and 45-minute or two-hour commute. They are going to  
19 take that into their own decision-making.

20                   CHAIRMAN CROSBY: For sure. That's fine  
21 with me. I haven't thought about it a lot, but I think  
22 putting something like that in there does make sense.

23                   COMMISSIONER ZUNIGA: Vacation and  
24 personal time was the next one.

1                   CHAIRMAN CROSBY: On the expense  
2 reimbursements, is this \$30 a day, does that come from  
3 someplace? Because that is not realistic.

4                   COMMISSIONER ZUNIGA: These are current,  
5 I believe, federal type guidelines that other State  
6 agencies adopt. This was from the Attorney General's.

7                   COMMISSIONER CAMERON: Where is that?

8                   COMMISSIONER ZUNIGA: That is page --

9                   CHAIRMAN CROSBY: It is 3.4.2, right above  
10 3.4.2, meals expense incurred while engaged in interstate  
11 travel be allowed for an amount not to exceed \$30 a day.

12                  COMMISSIONER CAMERON: Is that the State  
13 rate, currently the State rate here?

14                  COMMISSIONER ZUNIGA: Yes.

15                  COMMISSIONER CAMERON: The Federal rate  
16 is always higher.

17                  COMMISSIONER ZUNIGA: It is currently the  
18 Attorney General's rates.

19                  COMMISSIONER CAMERON: And are they the  
20 only ones in the State that utilize that?

21                  COMMISSIONER ZUNIGA: I believe so.  
22 There must be others that have a stipend like that or a  
23 less prescriptive approach subject to approval.

24                  CHAIRMAN CROSBY: Sort of a



1 reasonableness standard. This is too low. If you have  
2 three meals, you can't do it for \$30. I would sooner see  
3 it be a reasonableness standard.

4 COMMISSIONER CAMERON: Many commissions  
5 will go with the federal rate since it is travel out of  
6 state and prices are different depending on where you  
7 travel, travel out of state, out of the country.

8 COMMISSIONER STEBBINS: What is wrong  
9 with I am traveling out of state and I just give you my  
10 breakfast, lunch and --

11 COMMISSIONER CAMERON: Without a  
12 standard, some would take that to extreme. I guess we  
13 don't want to be reimbursing at the Four Seasons, which  
14 the entree might be \$75 without a glass of wine.

15 CHAIRMAN CROSBY: It goes with the  
16 Maserati.

17 COMMISSIONER CAMERON: I think that a  
18 reasonable rate does make sense.

19 CHAIRMAN CROSBY: If you put the word  
20 reasonable in there, it means a boss can tell somebody  
21 that is out of line or I'll pay it this time but don't  
22 do it again or something like that.

23 COMMISSIONER ZUNIGA: For this I can check  
24 the federal rate. You are correct, the federal rate is

1 higher.

2 CHAIRMAN CROSBY: But we are not going  
3 with a rate. We are just going with reasonableness.

4 COMMISSIONER ZUNIGA: With  
5 reasonableness.

6 CHAIRMAN CROSBY: Yes. Transportation  
7 this is the one we were just talking about under 3.4.2.

8 COMMISSIONER ZUNIGA: Which one? Yes.

9 CHAIRMAN CROSBY: That is where the  
10 transportation, the commute is.

11 COMMISSIONER ZUNIGA: Yes.

12 CHAIRMAN CROSBY: What is our standard  
13 about parking?

14 COMMISSIONER ZUNIGA: Standard for  
15 parking?

16 CHAIRMAN CROSBY: Yes.

17 COMMISSIONER ZUNIGA: There is no  
18 standard for parking.

19 CHAIRMAN CROSBY: And we are now paying  
20 parking for some people.

21 COMMISSIONER ZUNIGA: It's quite  
22 different downtown Boston than downtown Springfield,  
23 needless to point out.

24 CHAIRMAN CROSBY: I guess we can either

1 just do it ad hoc. We can do it without a policy, or we  
2 can say what we are doing. As a practical matter, we are  
3 paying parking for people at the director level, I think,  
4 now.

5 COMMISSIONER ZUNIGA: For some.

6 CHAIRMAN CROSBY: What do you think? Do  
7 we need a parking policy or not?

8 COMMISSIONER ZUNIGA: I don't find the  
9 need for that necessarily. I think we could -- it varies  
10 so much among individuals that we could --

11 COMMISSIONER CAMERON: It's hard to have  
12 a policy.

13 COMMISSIONER ZUNIGA: -- make that part of  
14 each individual case.

15 CHAIRMAN CROSBY: Right.

16 COMMISSIONER ZUNIGA: Vacation and  
17 personal time, this is only very minor. The current  
18 draft, which I don't know if you have, Mr. Chair, reflects  
19 the accrual time that is consistent with the State  
20 policies, with all of the State agencies. Yes, you do  
21 have it.

22 The Redbook, I believe, which as part of  
23 HRD policies allows State agencies and agencies like us,  
24 the Commission, to have discretion to award additional

1 years of creditable service based on experience. To  
2 senior management as part of a package, if you will, and  
3 based on their experience, somebody could start accruing  
4 at a higher rate than the minimum here.

5 COMMISSIONER CAMERON: That is critical  
6 for us. We will be attracting individuals with extensive  
7 experience in gaming from out-of-state in a number of our  
8 positions I suspect. The ability to offer them an  
9 executive package is critical.

10 COMMISSIONER ZUNIGA: So, we have that  
11 authority and discretion. The policy question here is  
12 whether to have all Commissioners designated at a minimum  
13 level of creditable service. It really applies just to  
14 ourselves because we have the discretion to award it on  
15 anyone else.

16 CHAIRMAN CROSBY: Do I read this right  
17 that this means years of service in Massachusetts State  
18 system?

19 COMMISSIONER ZUNIGA: No, not  
20 necessarily.

21 CHAIRMAN CROSBY: Just anywhere. Don't  
22 all of our Commissioners have 20 years of work? Haven't  
23 you been working for 20 years?

24 COMMISSIONER STEBBINS: It feels like it.

1 It feels like a lot longer.

2 CHAIRMAN CROSBY: How many years have you  
3 been working?

4 COMMISSIONER STEBBINS: Twenty-five.

5 COMMISSIONER ZUNIGA: Twenty-five? You  
6 are accruing at a lower rate than that.

7 COMMISSIONER STEBBINS: Not within the  
8 State system, but professionally I have been working for  
9 25 years.

10 CHAIRMAN CROSBY: This is the State system  
11 this 19.5?

12 COMMISSIONER ZUNIGA: Yes, it is within  
13 the State system. The point is that we can recognize  
14 additional years of experience and reflect that.

15 CHAIRMAN CROSBY: That was my point. All  
16 the Commissioners have been working for more than 19.5  
17 years somewhere. So, we should all get the high-end  
18 accrual, the 25-day accrual, annual accrual. That seems  
19 fair to me.

20 COMMISSIONER CAMERON: And the ability to  
21 recognize experience. If a Commissioner is recruited or  
22 recommended in the future who may have come out of the  
23 private sector, I think the ability to offer that  
24 flexibility is important.

1                   CHAIRMAN CROSBY: Yes.

2                   COMMISSIONER ZUNIGA: I will draft to  
3 recognize the 19.

4                   CHAIRMAN CROSBY: Years of service just  
5 means years of service. It doesn't say years of service  
6 in Massachusetts State government. Maybe it already  
7 says what you want it to say.

8                   COMMISSIONER ZUNIGA: No. Well, maybe  
9 it's worded vaguely, but the point is to give ourselves  
10 the flexibility to recognize service elsewhere and  
11 reflect that into --

12                   CHAIRMAN CROSBY: I agree with that. I  
13 thought you were talking about the issue with the  
14 Commissioners themselves. I think the Commissioners  
15 already qualify for 25.

16                   Let me just think one second. That's five  
17 weeks, 25 days is five business weeks, which is getting  
18 up there for senior people.

19                   COMMISSIONER CAMERON: It's the top end of  
20 the State government.

21                   CHAIRMAN CROSBY: Okay.

22                   COMMISSIONER ZUNIGA: Communications and  
23 Outreach information technology resource policy. This  
24 policy was already adopted in a prior meeting. I am just

1 bringing up the point that currently we don't have a  
2 network administrator. The way this is currently  
3 written puts a little bit of the onus on the individual  
4 to ensure that there is appropriate Malware detection  
5 software and things like that where that may not  
6 necessarily -- that sometimes may confuse people. They  
7 may not know whether something is working or not behind  
8 their computer, if you will.

9                   This was just questions brought up by  
10 Commissioner McHugh relative to the current language. I  
11 can reference it.

12                   COMMISSIONER CAMERON: We hope to hire  
13 someone within a year, correct?

14                   COMMISSIONER ZUNIGA: Yes.

15                   COMMISSIONER CAMERON: It maybe a  
16 non-issue.

17                   COMMISSIONER ZUNIGA: It's not a  
18 permanent issue. There is language here that precludes  
19 or really warns, if you will, employees not to download  
20 software unless they know that there is appropriate  
21 Malware detection software working. The question comes  
22 up how does anybody know when you click update that it  
23 is appropriate.

24                   CHAIRMAN CROSBY: What are you

1 recommending that we do here?

2                   COMMISSIONER ZUNIGA: I just wanted to  
3 call your attention to the current language, which comes  
4 from one of the model manuals. I could make it more broad  
5 to say employees should seek to inform themselves  
6 relative to problems with their computer and ask when  
7 necessary. But the onus may not necessarily be on them  
8 to make sure there is the appropriate detection software  
9 working.

10                   CHAIRMAN CROSBY: Fine, go for it.

11                   COMMISSIONER ZUNIGA: This is only 6.4,  
12 speaking engagements, I would just redraft a little bit  
13 this section because it was drafted prior to a recent  
14 discussion relative to the speakers bureau. So, I will  
15 incorporate comments and language from that memorandum  
16 to reflect that.

17                   CHAIRMAN CROSBY: This is great.  
18 Commissioner Stebbins, do you have other issues you  
19 wanted to raise?

20                   COMMISSIONER STEBBINS: No, not at this  
21 time.

22                   CHAIRMAN CROSBY: Commissioner Cameron,  
23 did you have any?

24                   COMMISSIONER CAMERON: I do not.



1                   CHAIRMAN CROSBY: I thought that there  
2 ought to be some kind of introduction or somewhere maybe  
3 it's in the welcome or maybe it's in the preface, there  
4 ought to be something that talks about the nature -- just  
5 hortatory language that talks about the nature of our  
6 work. This is particularly -- the integrity of our  
7 behavior and our performance is particularly important,  
8 something like that. Talking about appearances, just  
9 some kind of soft language that sort of makes those points  
10 that talks about the need for integrity and the appearance  
11 of integrity in this system.

12                   COMMISSIONER ZUNIGA: Okay.

13                   COMMISSIONER STEBBINS: Do you want to  
14 include some type of letter from the Chairman?

15                   CHAIRMAN CROSBY: Yes, that would be fine.  
16 It doesn't have to come from me, but somebody that says  
17 that kind of thing.

18                   I'm just curious why it says on page three  
19 under the preface it says the handbook is not be  
20 distributed outside the Gaming Commission unless  
21 requested in writing under the Mass. public records law.  
22 Why is that?

23                   COMMISSIONER ZUNIGA: Leftover language  
24 from some other model.

1                   CHAIRMAN CROSBY: It seems like one of  
2 those things that just gets passed along and --

3                   COMMISSIONER ZUNIGA: Anybody is welcome.

4                   CHAIRMAN CROSBY: It's already all over  
5 the place. On page nine, it says on 1.5.2 all persons  
6 expressing interest in employment with the Commission  
7 will without exception be directed to the human resources  
8 department.

9                   We don't have one yet for one thing, but  
10 we probably will get one someday although it may not be  
11 for a while. But also again, do we really mean that? I  
12 don't know whether we do or not. If the Deputy Director  
13 for IEB is hiring personnel for different locations, to  
14 sit at different locations, are we making the decision  
15 today to standardize all hiring through our human  
16 resource department?

17                   COMMISSIONER ZUNIGA: There is a hiring  
18 policy piece to this where the HR function will serve as  
19 a repository and initial screener but there will be a  
20 hiring manager. And that hiring manager is really any  
21 department head, any director or anybody who has been  
22 designated to that position. Rather than having  
23 multiple repositories, the idea of centralizing in a HR  
24 function, I believe, is worth it.

1                   CHAIRMAN CROSBY: That makes sense. I  
2 agree with that.

3                   COMMISSIONER CAMERON: I do too.

4                   CHAIRMAN CROSBY: Did Commissioner McHugh  
5 read this?

6                   COMMISSIONER ZUNIGA: Yes.

7                   CHAIRMAN CROSBY: Because he and I served  
8 on the hiring and we want to make sure we are conforming  
9 with our own regulations or our own proposals for the  
10 court system.

11                  COMMISSIONER ZUNIGA: He did have  
12 important edits.

13                  CHAIRMAN CROSBY: On page 11, 1.6  
14 background checks, this says and may include -- providing  
15 accurate information necessary to conduct a background  
16 check as a condition of employment and may include  
17 fingerprints, urine samples and detailed testing. You  
18 might just want to say drug testing because at the moment  
19 we use urine samples, right? But that could change.

20                  COMMISSIONER CAMERON: Drug screen is  
21 probably the appropriate term, a drug screen.

22                  COMMISSIONER ZUNIGA: Okay.

23                  CHAIRMAN CROSBY: Under the dress code we  
24 have got "business" standard of dress. I don't even know

1 what that is, but I guess that is fine. Let's us define  
2 it. This is tiny under 2.2, do you see that paragraph,  
3 bottom right-hand corner it says MTC and you mean MGC I  
4 think.

5 On page three, section 2.3 drug and alcohol  
6 policy. I guess we don't need to re-talk about our drug  
7 screening because we've already talked about that.

8 2.5 freedom from unlawful harassment and  
9 discrimination, support of equal employment includes the  
10 recognition that all employees have the right to work in  
11 an environment free of unlawful harassment on account of  
12 race, color, ba, ba, ba, age, appearance 40 and above?  
13 Where does that come from?

14 COMMISSIONER ZUNIGA: I believe  
15 Commissioner McHugh might have the background on this,  
16 but that may have been some kind of case law.

17 CHAIRMAN CROSBY: You can be  
18 discriminated against because you are too young for one  
19 thing. I am sorry, you are great, but you look like a  
20 kid. We just can't hire you. That's against the law.

21 COMMISSIONER CAMERON: I don't see a need  
22 to have a specific in there like that.

23 COMMISSIONER ZUNIGA: Okay. We could  
24 strike that.

1                   CHAIRMAN CROSBY:  On section 2.7.1, it's  
2 page nine of that section, acting for others, former State  
3 employee.  Do you see that?  It's page nine.

4                   COMMISSIONER ZUNIGA:  Yes.

5                   CHAIRMAN CROSBY:  Former State employee  
6 may not ever represent or receive compensation from  
7 anyone other than the State in connection with a  
8 particular matter that is integrally related to a  
9 particular matter in which he participated as a State  
10 employee in which the State has a direct and substantial  
11 interest.

12                   So, 10 years from now I couldn't go to work  
13 for -- Anybody who is going to hire me when I am 108.  I  
14 couldn't go to work for somebody we picked 10 years  
15 earlier?

16                   COMMISSIONER ZUNIGA:  No.  This comes  
17 from the Ethnics Commission.  Let's say -- I'd like to  
18 think about an example of my previous work.  In my  
19 previous work, I helped develop a system that was a  
20 mechanism to allow for reimbursement.  This was a  
21 computer system.  I am precluded from ever working on  
22 anybody who would have a matter relative to that system  
23 that was developed on behalf of the State.

24                   CHAIRMAN CROSBY:  Give me an example.

1 Don't talk about a Commissioner. Talk about one of our  
2 investigators, what is an example? That investigator  
3 retires from State service, leaves State service that  
4 person may not do what forever?

5 COMMISSIONER ZUNIGA: If it is something  
6 that was developed, and something is very broad here.  
7 The best example I could think of is imagine a software  
8 system that the Commission contracts contractors to help  
9 develop and there is a lot of intellectual property, if  
10 you will, that goes with developing a software system.  
11 A person, an employee here years from now cannot come and  
12 help or help modify that very system that was developed  
13 on behalf of the State.

14 CHAIRMAN CROSBY: Why is that?

15 COMMISSIONER ZUNIGA: That's a preclusion  
16 from the State ethics law.

17 CHAIRMAN CROSBY: I need to understand  
18 that one. That would say that Eileen Glovsky if she helps  
19 us, we acquire our data management system from company  
20 X, 10 years from now she couldn't work for company X?  
21 That just doesn't make any sense to me.

22 COMMISSIONER ZUNIGA: Not for the State.  
23 She couldn't work for company X servicing the  
24 Commonwealth because she had a direct interest in that.

1                   COMMISSIONER CAMERON: So, she could work  
2 for the company in another capacity but the State could  
3 not be her client?

4                   COMMISSIONER ZUNIGA: That's right.

5                   CHAIRMAN CROSBY: Is this language just  
6 lifted straight out of someplace else?

7                   COMMISSIONER ZUNIGA: Yes.

8                   CHAIRMAN CROSBY: Out of what?

9                   COMMISSIONER ZUNIGA: The ethics rules,  
10 specifically for the Attorney General's I believe.

11                  CHAIRMAN CROSBY: I'd like to look at that  
12 because I don't quite get that. But that's fine.

13                  COMMISSIONER ZUNIGA: The qualifying  
14 language here is this matter that is a integrally related  
15 to a particular matter in which the person participated  
16 direct.

17                  COMMISSIONER STEBBINS: So, in more  
18 generic terms if someone is sitting in a State agency and  
19 I am reviewing bids for a type of software system and I  
20 select somebody, I can't then go out back to that employer  
21 and work on that bid back before the State?

22                  COMMISSIONER ZUNIGA: That's right.  
23 That's an obvious one.

24                  COMMISSIONER STEBBINS: I could still

1 work for that company, but on that matter, which I had  
2 a decision role from the State I can't then be on the other  
3 side of the table essentially.

4 CHAIRMAN CROSBY: Can't receive  
5 compensation, so this means that you couldn't work on a  
6 procurement and then 10 years later get paid for that  
7 procurement. That's what it says, right?

8 COMMISSIONER ZUNIGA: Yes.

9 CHAIRMAN CROSBY: You can't ever  
10 represent or receive -- anyway. Let's not take more  
11 time.

12 COMMISSIONER CAMERON: It must have  
13 happened somewhere.

14 CHAIRMAN CROSBY: I'm sure it comes from  
15 the DiMasi Cognos case. I will look into that and if I  
16 have a problem, I will say so.

17 We have already talked about a person can  
18 have a second job. They just have to have permission to  
19 have it, right? So, that is taken care of.

20 You will pick this up, but on 3.3, do you  
21 see that?

22 COMMISSIONER ZUNIGA: Yes.

23 CHAIRMAN CROSBY: You can see where hours  
24 of operation and work schedule slipped in there where it



1 doesn't belong?

2 COMMISSIONER ZUNIGA: Yes.

3 CHAIRMAN CROSBY: The bottom sentence  
4 there says a normal workday at MGC is nine (8.25) hours.

5 COMMISSIONER ZUNIGA: It includes 45  
6 minutes for lunch within a seven and a half hour workday.

7 CHAIRMAN CROSBY: Doesn't it mean --

8 COMMISSIONER ZUNIGA: The difference  
9 between seven and a half hours of work time and 8.25 are  
10 45 minutes for lunch.

11 CHAIRMAN CROSBY: Just read that  
12 sentence. Does that make sense to you?

13 COMMISSIONER ZUNIGA: Which one?

14 CHAIRMAN CROSBY: That last sentence, a  
15 normal workday at MGC.

16 COMMISSIONER ZUNIGA: The nine is a typo.  
17 Sorry.

18 CHAIRMAN CROSBY: There is something  
19 wrong with that sentence.

20 COMMISSIONER ZUNIGA: A normal workday at  
21 MGC is eight and a quarter (8.25) hours.

22 CHAIRMAN CROSBY: Including --

23 COMMISSIONER ZUNIGA: Including the 45  
24 minutes.

1                   CHAIRMAN CROSBY: The word nine and the  
2 word one shouldn't be there.

3                   COMMISSIONER ZUNIGA: Yes.

4                   CHAIRMAN CROSBY: Sorry about this.  
5 Again, tell our audience, we can't talk to one another.  
6 So, we have to do this. I couldn't go talk to  
7 Commissioner Zuniga and go over this with him because that  
8 would be a violation of our open meeting law. I apologize  
9 for the delays here.

10                   Under 5.9, FMLA, two or three pages in, two  
11 pages in it says certification of a serious health  
12 condition. Do you see the heading certification of a  
13 serious health condition?

14                   COMMISSIONER ZUNIGA: Yes.

15                   CHAIRMAN CROSBY: There was a note that  
16 somebody put in here, Eileen I guess?

17                   COMMISSIONER ZUNIGA: Yes.

18                   CHAIRMAN CROSBY: Did we resolve that  
19 question? I am not sure I like this whole part. In my  
20 view it is not the Commission's responsibility to verify  
21 that someone can take FMLA.

22                   COMMISSIONER ZUNIGA: Yes. It is the  
23 employee's and the doctor's job to do that, which this  
24 edit, I believe would --

1 CHAIRMAN CROSBY: You accommodated that?

2 COMMISSIONER ZUNIGA: Yes. It now says  
3 employees must provide adequate and sufficient  
4 documentation as opposed to the other way around.

5 CHAIRMAN CROSBY: So, that gets it all  
6 done.

7 COMMISSIONER ZUNIGA: That gets it all  
8 done, yes.

9 CHAIRMAN CROSBY: So, you have added on  
10 the information technology resources policy you've added  
11 in that word impermissibly which seems to solve the  
12 problems that were raised.

13 COMMISSIONER ZUNIGA: Yes.

14 CHAIRMAN CROSBY: Thank you. Great, a  
15 nice job. So, we've got a few places to do a little more  
16 research, but we are getting close. Great.

17 Project management consultant, back to  
18 Commissioner Zuniga.

19 COMMISSIONER ZUNIGA: There is really no  
20 update from last week. There is a meeting, and I did  
21 mention this last week, I believe, a meeting on August  
22 22, which is next Wednesday, among our two sets of  
23 consultants to look at timeline, timeline assumptions and  
24 start thinking about some of the scenarios that we need

1 to contemplate relative to Phase 2. But that meeting  
2 will be forthcoming.

3 CHAIRMAN CROSBY: Racing Division,  
4 Commissioner Cameron.

5 COMMISSIONER CAMERON: Yes, a short  
6 report today, Mr. Chair. As we spoke about last week,  
7 we have finalized our job description and posted for a  
8 Racing Director. We posted on our website, the HRD State  
9 website, the Association of Racing Commissioners  
10 International, Racing Officials Accreditation Program  
11 website, BloodHorse Magazine and website and Hoof Beats  
12 magazine and website.

13 So, I think anyone interested in racing  
14 will be able to ascertain that we are soliciting for a  
15 director's position. And we look forward to some strong  
16 applications.

17 CHAIRMAN CROSBY: How long do we post?

18 COMMISSIONER CAMERON: We have not made  
19 that final decision. I was, with all of my patience was  
20 thinking a couple of weeks would be sufficient, but maybe  
21 we will put it out there another week or so.

22 CHAIRMAN CROSBY: When did it go up?

23 COMMISSIONER CAMERON: It went up the  
24 end of last week.

1                   CHAIRMAN CROSBY:   The end of last week, so  
2 we are in our first week?

3                   COMMISSIONER CAMERON:   We are in our first  
4 week, yes.

5                   CHAIRMAN CROSBY:   So, maybe run it to the  
6 end of the month?

7                   COMMISSIONER CAMERON:   I think that is  
8 appropriate.   I think that makes sense.

9                   CHAIRMAN CROSBY:   The process is going to  
10 be what?

11                   COMMISSIONER CAMERON:   I am going to  
12 determine based on how much interest there is whether or  
13 not we need to use our search firm for help with resumes.  
14 Again, it is unknown to me.   I don't believe we will  
15 have --

16                   CHAIRMAN CROSBY:   -- a lot of credible  
17 candidates.

18                   COMMISSIONER CAMERON:   Yes, yes.   It may  
19 be a process and I will be conducting interviews with  
20 someone else.   And hopefully bring in a couple of strong  
21 candidates before the full Commission.

22                   CHAIRMAN CROSBY:   So, we are basically  
23 doing the same way as the ED.   We've selected one  
24 Commissioner to take the ball.

1 COMMISSIONER CAMERON: Correct, we are.

2 CHAIRMAN CROSBY: If you feel the need to  
3 involve either other Commissioners or the search firm or  
4 somebody else, you will take the initiative to make that  
5 happen?

6 COMMISSIONER CAMERON: Correct, yes.

7 CHAIRMAN CROSBY: We will close it down at  
8 the end of this month.

9 COMMISSIONER CAMERON: Yes. That  
10 completes my Racing Division report for this week.

11 CHAIRMAN CROSBY: And we are going on our  
12 first field trip. You are going to show us around.

13 COMMISSIONER CAMERON: We are. This  
14 Thursday I have hearings in the morning and the afternoon  
15 we do have the couple of tracks.

16 CHAIRMAN CROSBY: You are prepared to take  
17 us around and show us what is happening.

18 COMMISSIONER CAMERON: Yes, I am. You  
19 will be impressed.

20 CHAIRMAN CROSBY: Okay. Project work  
21 plan consultant status report. I think we told the  
22 consultants that we didn't really need to have them come  
23 in today.

24 Do you want to just give sort of a rundown

1 on what we talked about with the consultants earlier  
2 today?

3 COMMISSIONER ZUNIGA: Sure. Just  
4 summarize. The way the RFR was initially conducted  
5 allowed us, which we have the intention to do to extend  
6 the contract for consulting services for months beyond  
7 the upcoming September, end of September end of contract.

8 So, we have been talking about just what  
9 the scope of services may be relative to that subsequent  
10 phase. And we are starting to think about the need to  
11 do that, much of which will be informed on the basis of  
12 the strategic plan that is also forthcoming.

13 That is summary.

14 CHAIRMAN CROSBY: Yes.

15 COMMISSIONER ZUNIGA: There are some  
16 deliverables that were originally scheduled in this week,  
17 last week that slipped a little bit given a lot of recent  
18 focus in the promulgation of the regulations.

19 So, those deliverables are still on in the  
20 short term. They will be forthcoming. And they are  
21 working hard and extra hours to present them to us in the  
22 next couple of weeks. One of them notably is this  
23 timeline that I was just giving an update on relative to  
24 how we incorporate that with the effort of our project

1 management consultant, PMA.

2 Others are also forthcoming, the table of  
3 organization is another one. I don't have it here with  
4 me, but there's a couple that is really in the near-term.

5 CHAIRMAN CROSBY: I think, again, this is  
6 something that we weren't able to talk about until we have  
7 a full meeting and I wish Commissioner McHugh were here,  
8 but as I sort of said in an email, we sort of got off track  
9 in making sure we were relating through Kathy O'Toole.

10 She is the project manager for the  
11 consultant. She is there for a reason. She has got the  
12 right kind of skills we wanted. We need to use her as  
13 the point person on everything we are doing, not absurdly  
14 but in general. Because she and Kristin that she works  
15 with are really good at keeping people on track including  
16 keeping her team on track.

17 So, we met with her today to sort of  
18 reestablish that. She will be the point person for  
19 negotiating -- she will be the central point of contact  
20 for negotiating the extension and for fine-tuning. The  
21 original scope that we put in the first contract has been  
22 modified. As we have gone along, we keep coming up with  
23 new stuff and then we ended up putting a full bore on the  
24 first level of regs. -- the first set of regs.





1 that conversation too so that next time around, the second  
2 phase of the relationship with the consultant, we all have  
3 a clearer sense of what is going on and when are policy  
4 decisions getting made. And how do we all get involved  
5 in those and so on and so forth. But it was a good  
6 conversation.

7 COMMISSIONER ZUNIGA: I would also just  
8 append to that that from the Commission an important point  
9 of contact for this coordinating piece that Kathy really  
10 brings important relevance too will be Director Glovsky,  
11 which has now been formalized and understood a little bit  
12 better --

13 CHAIRMAN CROSBY: Thanks for mentioning  
14 that.

15 COMMISSIONER ZUNIGA: -- because  
16 Commissioner McHugh was and the Chairman were playing  
17 different roles at different times. And this we all  
18 believe consolidates that.

19 CHAIRMAN CROSBY: Right. That's good,  
20 glad to have that. And that will make our life easier  
21 too when it is not a Commissioner who is doing the  
22 conversations who can't talk to any other Commissioners.  
23 Phasing Eileen in as quickly as we can, yes.

24 Technical and other assistance to

1 communities, ombudsman search update, Commissioner  
2 Stebbins?

3 COMMISSIONER STEBBINS: We have finalized  
4 the list of folks we are going to interview. We have some  
5 of those interviews starting tomorrow. And hopefully we  
6 can narrow it down to some finalists that we can send to  
7 you to meet with hopefully in the next week or two.

8 CHAIRMAN CROSBY: How many people are you  
9 going to interview? You said like 15 or something like  
10 that?

11 COMMISSIONER STEBBINS: I think roughly  
12 around 15 folks, yes. And we will narrow that down.  
13 Some candidates, since it is a new position for a new  
14 agency, I think there are some people that we want to meet  
15 with that may not be an exact fit but have a background  
16 that we would like to hear them explain what that fit is  
17 and/or there are people who we could be in the position  
18 to hire for another position down the line.

19 CHAIRMAN CROSBY: Great. Next Tuesday,  
20 Commissioner Zuniga and I will be away. But the meeting  
21 after that -- I would definitely like to be involved in  
22 the ombudsman interviews, the final round of interviews.  
23 If the week after that you were all teed up and ready to  
24 go to finalists that would be great. That would give you

1 the balance of this week and next week.

2 COMMISSIONER STEBBINS: Okay.

3 CHAIRMAN CROSBY: You can probably make  
4 that. If it's longer than that fine. That's what it  
5 takes. If we have a meeting on the 29th -- no, 28th.  
6 Just as a straw man anyway. That's what we'll have to  
7 do. We will interview finalists as a group at our open  
8 meeting? Is that the process?

9 COMMISSIONER STEBBINS: We can do that.  
10 We have not done that with any other position.

11 CHAIRMAN CROSBY: Other than the  
12 consultants.

13 COMMISSIONER STEBBINS: The process would  
14 be similar to how I see us conducting the ED search is  
15 that we will put finalists through the full background  
16 check before we present them in public. Whereas if it  
17 is just you that wants to interview the finalists, then  
18 we can put that one key candidate through the background  
19 check. It's narrowing down this list to anywhere from  
20 three to five finalists that we would submit to you to  
21 interview.

22 CHAIRMAN CROSBY: So, we'll sort of see  
23 how that plays out, how many you've got how strongly you  
24 feel. If you rank ordered one way above everybody else,

1 then we just might talk about that person and then just  
2 go with that person. If you have got a bunch that are  
3 sort of in the same position, then we might have a  
4 different process.

5 COMMISSIONER STEBBINS: And we still have  
6 got to get them through a background check.

7 CHAIRMAN CROSBY: Right. So, we will aim  
8 to try to have the finalists, however many that is, teed  
9 up by the 28th.

10 Six, finance/budget.

11 COMMISSIONER ZUNIGA: A brief update, we  
12 received two applicants, or the checks for two applicants  
13 and deposited them in our --

14 CHAIRMAN CROSBY: Thank you all very much.

15 COMMISSIONER ZUNIGA: -- deposited them  
16 in our new bank account. We have been going through some  
17 set up procedures for that bank account, coding so that  
18 we can segregate appropriately the costs and revenues  
19 that will have to be accounted for. That's essentially  
20 what we have done in the last week.

21 CHAIRMAN CROSBY: Great. Item seven,  
22 public education and information, community and/or  
23 developer outreach/responses to requests for  
24 information. Although I forgot to reiterate this at our

1 meeting in Springfield, I am serving as the interim  
2 ombudsman in effect for developers or communities who  
3 need some particular kind of attention.

4 I have gotten a call from one developer  
5 whose money is in to say that they want to meet with the  
6 Department of Transportation. And we actually are a  
7 little bit behind the eight ball because we have not got  
8 the designated contacts in all of the agencies. They are  
9 supposed to set up -- each of them is supposed to have  
10 a single point of contact too to help developers deal with  
11 this stuff. So, I will follow through on that quickly.

12 COMMISSIONER STEBBINS: At the end of the  
13 forum last week, we had a number of questions put into  
14 our question box from the community. At this stage, it  
15 looks like there might be an impact on surrounding  
16 community and listed about seven or eight questions for  
17 us to address. And I went to that individual and suggest  
18 that they come in and speak with two of us, either you  
19 and Commissioner McHugh or however you want to work it.  
20 You are the temporary ombudsman and perhaps a meeting with  
21 yourself.

22 CHAIRMAN CROSBY: Yes. Will you tell  
23 them they should contact me maybe and I will set that up  
24 with whoever.

1 COMMISSIONER STEBBINS: Yes.

2 CHAIRMAN CROSBY: What else was I going to  
3 say about this? Brandon or somebody or Heather sent  
4 notes about some inquiries that have not been answered  
5 yet. There were like eight or nine of them. I did look  
6 at that quickly but don't let it slide, keep on us. I  
7 forget what they are. We need to talk about it here.  
8 Some of them were dated July. Did they all at least get  
9 an acknowledgment that we received your email, we will  
10 be back to you?

11 MR. MILBY: Not all of them.

12 CHAIRMAN CROSBY: Well, they should  
13 definitely get that right now. When they all come in,  
14 I thought that was standard process? I thought there was  
15 some sort of immediate bounce back response that we got  
16 your thing. We will be in touch.

17 MR. MILBY: There is an onscreen message  
18 saying we will get back to you as soon we can as soon as  
19 they submit it.

20 MS. REILLY: An acknowledgement that we  
21 have received.

22 CHAIRMAN CROSBY: So, they have gotten  
23 that?

24 MR. MILBY: Yes.

1                   CHAIRMAN CROSBY:  Keep bugging us, bug me  
2 if you have to, whoever you have to.  I don't want to let  
3 those sit.  None of them weren't all that big a deal, but  
4 still just as a matter of courtesy, I just want to make  
5 sure we get back to them.  So, stick with us on that.

6                   Report from the Director of Communications  
7 and Outreach.  That would be Director Driscoll.  We  
8 slipped and we forgot to put Director Glovsky on the  
9 agenda, but we will get her next week.

10                  MS. DRISCOLL:  I think for the most part  
11 everybody knows what I am continuing to work on.  We are  
12 in the process now of answering some -- We are in the Q&A  
13 period for the RFR for the logo and website.  I've been  
14 working with Eileen on that.  That will conclude on  
15 Friday.

16                  Then I believe that they have  
17 approximately two weeks to respond at that point.  So,  
18 we will still be on track to make a decision on September  
19 4.  In the meantime, I was talking with Brandon about  
20 this, we will start building out the site maps and the  
21 new website so that when the designer and the developer  
22 does come onboard, for the most part content will be ready  
23 to go.

24                  It will absolutely expedite the process



1 because my goal is to see this complete by the time we  
2 officially issue the regs. mid-October. I want to have  
3 the site up and ready to go and have the visibility there  
4 by that point.

5           Again, so many requests keep coming in for  
6 the speakers bureau, which is traffic. So, we are just  
7 in the process now of coordinating those, making sure that  
8 we have the dates down and who is going to be a speaker  
9 at these down.

10           And also, some ask if we want presentation  
11 materials and some request that we don't that we simply  
12 just give a verbal presentation. But I know Commissioner  
13 Stebbins that you have one coming up on September 7 that  
14 we will need to work on because they did ask if you want  
15 to give a presentation. So, that might be one that we  
16 consider doing the PowerPoint for that is complete.

17           Whereas you, Chairman Crosby, you have one  
18 on, I believe, September 6 in Worcester but they requested  
19 that you don't do that. So, it is just a matter of just  
20 determining that. Because I think we have close to 10  
21 over the next two months, which is good but it is busy.

22           That's really the main the stuff right now.

23           CHAIRMAN CROSBY: I need you to cinch the  
24 contact on the (INAUDIBLE) media thing. So, we follow

1 up on that.

2 MS. DRISCOLL: Yes. I already did that.

3 CHAIRMAN CROSBY: Also we had talked about  
4 and maybe now after our meeting whether it is tomorrow  
5 morning or Thursday other editorial boards. Now I think  
6 we have got a lot to talk about and say. So, I would like  
7 to start getting those scheduled too.

8 MS. DRISCOLL: Okay.

9 CHAIRMAN CROSBY: Particularly those that  
10 are most active, the Springfield paper and the  
11 Southeastern Mass. and so forth.

12 MS. DRISCOLL: Yes, we will talk about  
13 that.

14 CHAIRMAN CROSBY: Great, thank you.  
15 Discussion of Western Mass. forum, any more follow-up  
16 other than the RPA question?

17 COMMISSIONER STEBBINS: Just simply as a  
18 general follow-up, I sent notes and thank you's out to  
19 our panelists to the folks at Western New England  
20 University, Senator Candaras and some of our other  
21 speakers for helping us host the forum.

22 There is a few follow-up items and  
23 potential topics that we may address at one of our future  
24 business meetings. I saw a note from MAPC right after

1 the meeting. Actually, yesterday I left a note for Tim  
2 Brennan who is kind of our co-host who is with the Pioneer  
3 Valley Planning Commission asking him to share with us  
4 whatever agreement, paperwork that they share. They  
5 have a relationship with the folks at the Mass.  
6 Environmental Policy Act, because I think that was the  
7 relationship they spoke about whereby MEPA comes back out  
8 to a regional planning agency and asks for their input,  
9 feedback on MEPA applications.

10                   Hopefully, Tim will share that information  
11 with us or the folks at MAPC. I think it is a good  
12 conversation to initiate with the planning agencies,  
13 because I think we all agree that community mitigation  
14 that surrounding impacted community designation is going  
15 to be one of the biggest question marks for us depending  
16 on where the applications come from.

17                   CHAIRMAN CROSBY: Do we want to do  
18 anything more? This inquiry from MAPC says do you want  
19 us to come in either to meet with individuals or meet with  
20 the Commission or to meet with MAPC or to meet with other  
21 RPAs?

22                   COMMISSIONER STEBBINS: I think it would  
23 be helpful to invite all of the RPAs to come in. Again,  
24 the example they gave us out in Western Mass. was their

1 role with the MEPA applications. I think it would be  
2 helpful to have some brainstorming around they may be able  
3 to assist us and how do we formalize that relationship?  
4 How do we formalize that obviously advance of the RFA-2  
5 discussion?

6 I think it would be helpful to have them  
7 all come in and figure out, kind of brainstorm how we can  
8 make that relationship happen. I think they can be  
9 helpful to the process.

10 CHAIRMAN CROSBY: Now that I think about  
11 it, we talked about this in another context, maybe it  
12 makes more sense to do that after we get our ombudsman,  
13 because our ombudsman is going to be the point of contact.  
14 They don't have to have a public meeting. The ombudsman  
15 could meet with them first. And if he felt there was a  
16 need to involve us, we could. So, does that make sense  
17 to you?

18 COMMISSIONER STEBBINS: That makes sense  
19 to me.

20 CHAIRMAN CROSBY: I can get back to or  
21 maybe you can Janice. This email was to you from Charlie.  
22 Just tell them you do want to do that but we are going  
23 to wait until the ombudsman.

24 COMMISSIONER ZUNIGA: If I may just

1 reiterate, a number of good thoughts after the latest  
2 public educational forum. One comment really resonated  
3 with me and it was from Mr. Brennan relative to finding  
4 ways to incentivize good behavior at the local  
5 negotiation/ mediation process that is about to take  
6 place.

7 I think they are in a unique -- they come  
8 from a unique place or perspective, one of having done  
9 this process at a regional basis for a number of years.  
10 So, I really look forward to them coming to a Commission  
11 meeting to have thoughtful brainstorming. But I do agree  
12 since we are so close to hopefully hiring someone in that  
13 role that that person could benefit from that.

14 CHAIRMAN CROSBY: That's right. I would  
15 like to have a brief adjournment. We will be right back.

16

17 (A recess was taken)

18

19 CHAIRMAN CROSBY: Reconvene, thank you.  
20 Discussion of diversity/inclusion forum.

21 COMMISSIONER STEBBINS: Let me just go  
22 back to the Western Mass. forum. There was another issue  
23 that came out that I neglected to mention. And again,  
24 it's a question I think we are going to need to deal with

1 in the RFA-2 process. It was during the tourism  
2 conversation and the regional tourism board talking about  
3 again coming to some agreement with a casino operator on  
4 an MOA and I think it behooves us as we look at the RFA-2  
5 process how do we instill some type of teeth for those  
6 MOA agreements.

7 We don't want an operator to sign what they  
8 need to sign to make everybody in the community feel good  
9 and then feel they can walk away from whatever that  
10 agreement is. Understanding it is not really part of the  
11 host community agreement. But somewhere in there, I  
12 think the message was heard loud and clear that we should  
13 try to find a method of giving some teeth to these types  
14 of agreements.

15 It may pop up with respect to workforce  
16 development job training. We are really looking to an  
17 applicant to tell us how they are going to have a positive  
18 impact on the community. That may find itself into our  
19 application through any variety of means. MOA might be  
20 one of them. And how do we give that teeth if it is a  
21 qualifier for the final license application? That was  
22 the other point.

23 CHAIRMAN CROSBY: That was one of many  
24 things that came out of there, as well as what do we want

1 have in the MOA? What kinds of cross marketing, whatever  
2 the whole range of stuff is that we have got to think  
3 about. That was very useful.

4 Okay 7D is the diversity and inclusion  
5 forum, which we have decided to go ahead with. I think  
6 it is scheduled for the 17th, September 17. They are  
7 working together to pull together a rough draft, which  
8 we will look at in a few days, a week or so.

9 Commissioner Stebbins suggested, and I  
10 think this is a good suggestion that somehow we get a link  
11 between the folks that are going to be interested in this  
12 and the workforce development people, right? That is  
13 what you are suggesting?

14 COMMISSIONER STEBBINS: Right.

15 CHAIRMAN CROSBY: How would we do that  
16 exactly? Who would get in touch with who?

17 COMMISSIONER STEBBINS: We know that the  
18 community colleges have been spearheading the workforce  
19 development piece. And they have begun to organize  
20 themselves, the providers, stakeholders regionally based  
21 within the three casino regions. I am actually going to  
22 a meeting that the Southeast region is having down in  
23 Brockton in a couple of weeks. It may make sense to  
24 partner them up and make them part of the regional

1 alliances that are in the early stages --

2 CHAIRMAN CROSBY: Is that a community  
3 college alliance the one you are seeing in Southeastern  
4 Mass.?

5 COMMISSIONER STEBBINS: It is going to be  
6 at the community college in Brockton. I think it is  
7 Massasoit Community College.

8 They are hosting the next meeting as part  
9 of these regional alliances that the community colleges  
10 are helping organize, which I am assuming, I haven't been  
11 to one of their meetings, will also include the career  
12 centers, the regional employment boards. I think it  
13 makes sense to try to integrate some of the equal  
14 opportunity, workforce opportunity folks into those  
15 conversations.

16 CHAIRMAN CROSBY: Yes. Okay.

17 COMMISSIONER STEBBINS: Bill Messner from  
18 HCC has been kind of a point person on this. He might  
19 be able to help steer somebody in the right direction in  
20 terms of what regional group they may want to consider  
21 participating in, but I would hope they would want to be  
22 involved in all three of them.

23 CHAIRMAN CROSBY: All three of them, all  
24 three regional alliances. Great, good point.



1                   Research agenda. We are working on the  
2 RFI. I did have a meet to tell people what our research  
3 agenda is, what we are looking for and to get expressions  
4 of interest and how they would approach it. We will get  
5 that out hopefully in the next week or so.

6                   I did meet with the folks from the Harvard  
7 School of Public Health last week -- yesterday. They are  
8 particularly focused on the addiction side, on the  
9 compulsive gambling side, but are interested in being  
10 involved. And whether they will want to collaborate with  
11 others or participate on their own, I don't know. But  
12 they are anxious to be involved.

13                   They like others have reacted very  
14 favorably to our idea of having this a really big  
15 comprehensive longitudinal study of the socioeconomic  
16 impacts of gambling. They agree with everybody else that  
17 nothing really, really good has ever been done in the way  
18 we could do it here. So, that was good.

19                   As I think I said, I am meeting with  
20 Secretary Bigby and Public Health Commissioner John  
21 Auerbach just to get them involved in this process, both  
22 in research design as well as making sure they are on our  
23 team for purposes of paying for this thing and so forth.  
24 I think you are coming to that meeting, right?

1                   COMMISSIONER ZUNIGA: Yes, I am. It's  
2 not next week, correct?

3                   CHAIRMAN CROSBY: No. I think that's it  
4 on the research agenda.

5                   COMMISSIONER ZUNIGA: Yes. You should  
6 see a draft of the RFI within the next couple of days.

7                   CHAIRMAN CROSBY: Great. If by any  
8 chance I can take it with me, I won't be here on Friday.  
9 So, if you happen to get it to me before the end of the  
10 day Thursday, that would be great.

11                  COMMISSIONER STEBBINS: We have also  
12 gotten some good -- I know you had produced a draft of  
13 some of the bare bones research categories. Some of  
14 those we shared back to some folks from the Worcester  
15 panel. They provided some feedback, at least on the  
16 economic factors.

17                   I have sent that list also over to  
18 Secretary Goldstein, Secretary of Labor and Workforce  
19 Development, again to look at the economic side as well  
20 as hopefully give us some idea of what information may  
21 already be there that we don't have to go out and hunt  
22 for. We have gotten some good feedback on the categories  
23 and some of the nuances.

24                  CHAIRMAN CROSBY: You sent that to me,

1 right, that feedback?

2 COMMISSIONER STEBBINS: I think so. I  
3 will double-check.

4 CHAIRMAN CROSBY: You sent me one, I  
5 think. I don't know if I've had anymore than that. That  
6 was awhile back. Okay, good.

7 Application process. This is an  
8 important one. At the end of our -- Was it our last  
9 meeting? No, it might be before that. I forget which.  
10 I think it was the minutes we just approved.

11 We talked about the fact that we weren't  
12 sure what we were going to do. It was decided to leave  
13 the word will in the document and have a future discussion  
14 about issuing an RFA or accepting application fees from  
15 developers proposing a project in region C. We want to  
16 talk about that some more. I know Commissioner Cameron  
17 has a view on this. Do you want to put it on the table?

18 COMMISSIONER CAMERON: Yes. I think we  
19 had some general discussion about whether or not we ask  
20 applicants which region they are interested in. The  
21 point or the important piece here that I think we need  
22 to consider is frankly that we do not -- the law does not  
23 call for a commercial license in region C.

24 So, I think it's important that we do not

1 accept application fees nor do we accept applications  
2 from anyone interested in region C, Southeastern  
3 Massachusetts --

4 CHAIRMAN CROSBY: -- for a casino license.

5 COMMISSIONER CAMERON; -- for a casino  
6 license. Obviously, a slot parlor we are open to  
7 anywhere in the State. But a full-blown casino, the law  
8 does not call for that. And I think it is important that  
9 we do not accept. I think it sends the wrong message.  
10 Anything that may happen in the future any changes, but  
11 as of right now, the law does not call for that.

12 A compact was just signed with the Tribe.  
13 I think it is important that we honor and respect the law  
14 and do not entertain any kind of investigation for anyone  
15 in Southeastern Mass. who may end up submitting an  
16 application. I don't think we accept that. I think that  
17 is important that we abide by the law.

18 That is was the point I made after that  
19 conversation we had last week about should we ask those  
20 kinds of general conversations.

21 CHAIRMAN CROSBY: Commissioner McHugh  
22 asked me to represent his views. Basically, he agrees  
23 on this point that we should not and we should be clear  
24 that we will not accept application fees or applications

1 for that matter from people whose intent is to do business  
2 as a casino operator in region C.

3 His thought is that there is a reason to  
4 leave a -- to not specify -- to not require the people  
5 to specify the region, because there is some people who  
6 might want both. There is some people who may not want  
7 their intentions known just yet. Although, the only  
8 reason you would put your \$400,000 in now is because you  
9 are ready to go talk to state agencies. That is the only  
10 reason, unless you just want to announce your intention.  
11 That's a pretty expensive way to announce your intention.

12 You can't talk to state agencies other than  
13 that one introductory meeting without putting your  
14 \$400,000 down. It's hard to believe anybody is going to  
15 do it without then wanting to talk to state agencies. So,  
16 it will sort of edit itself.

17 But he did feel strongly that we should  
18 announce and have it on the website that we will not accept  
19 applications or application fees for anybody interested  
20 in a casino license in region C.

21 COMMISSIONER ZUNIGA: Can I just by way of  
22 clarification, at least not now, correct? Because the  
23 law does contemplate that if this Commission determines  
24 that the Tribe may not be able to obtain land into trust

1 then after that determination is made somewhere in the  
2 future, this Commission can then select -- not select,  
3 but request or open up for a commercial license.

4 COMMISSIONER CAMERON: If that were to  
5 ever happen, then of course at that point we would solicit  
6 applications from that region. But an investigation  
7 done now means nothing years from now, frankly.

8 CHAIRMAN CROSBY: We definitely would not  
9 do an investigation.

10 COMMISSIONER CAMERON: And it sends the  
11 wrong message, even to accept money sends the wrong  
12 message.

13 CHAIRMAN CROSBY: Right. You are not  
14 disagreeing, right?

15 COMMISSIONER ZUNIGA: No, no, no. I am  
16 just clarifying that it might change. There is a moving  
17 piece in the future, potentially or not.

18 CHAIRMAN CROSBY: Part of the point that  
19 Commissioner Cameron is making is we don't want to even  
20 imply. Even if we were to say at this time we will not  
21 accept applications, which is true but that kind of  
22 implies that we are waiting for something to change.

23 At the moment the die is cast. At the  
24 moment to Tribe is in the position to do what it has the

1 right to do. If it gets the approval now or later of the  
2 Compact and then is in the land in trust process, there  
3 will not be any commercial license period. If something  
4 changes, something changes.

5 I think that it is a fair point. We don't  
6 want to sort of pull our punch or telegraph some kind of  
7 an expectation. I think we should put on the website,  
8 Elaine and Brandon, we should put somewhere on the  
9 application area very clearly that we will not accept  
10 applications for casino licenses in region C. Or we are  
11 only accepting applications for regions A and B.

12 COMMISSIONER CAMERON: I am actually not  
13 sure. I don't really understand the point why we are not  
14 asking which region. Even if someone were to say A or  
15 B that is fine. But I don't understand leaving it blank.

16 COMMISSIONER ZUNIGA: Allowing people to  
17 not select a region?

18 COMMISSIONER CAMERON: Correct. If  
19 someone wants to say A or B that would be fine. But I  
20 don't understand why we have a block that would say you  
21 don't have to select a region.

22 CHAIRMAN CROSBY: I think it's very  
23 marginal either way. I don't think it makes very much  
24 difference either way. Commissioner McHugh felt there

1 is still some plausible uncertainty, possibly even  
2 strategy on the part. For example, there might be a  
3 bidder in Western Mass. now who because of the competition  
4 is rethinking they might want to play in Eastern Mass.,  
5 but they don't want --

6 COMMISSIONER CAMERON: So, if you said A  
7 or B, how is that different?

8 CHAIRMAN CROSBY: They are now saying A or  
9 B?

10 COMMISSIONER CAMERON: Right. So, why  
11 give an option of leaving it blank?

12 CHAIRMAN CROSBY: Because you don't force  
13 somebody who might be rethinking their strategy to reveal  
14 that they are rethinking their strategy.

15 COMMISSIONER CAMERON: If you say A or B,  
16 how is that different?

17 CHAIRMAN CROSBY: If a vendor who is now  
18 identified totally in Western Mass. puts in his  
19 application fee and it says A or B, everybody is going  
20 to look at that and say, mmmm, they are thinking about  
21 B too. Like I said, I think it is pretty minor. I don't  
22 think we gain anything by adding it either. I don't  
23 think there is much loss. I don't think there is much  
24 gain. It's kind of like 50-50.



1                   COMMISSIONER CAMERON: I guess I'm just  
2 again concerned about region C.

3                   CHAIRMAN CROSBY: If they apply to region  
4 C, if somebody applies for region C --

5                   COMMISSIONER CAMERON: If they leave it  
6 blank?

7                   CHAIRMAN CROSBY: If they leave it blank,  
8 and their intention is to do region C secretly, there are  
9 two things that can happen. One is they can sit there  
10 secretly with us holding their \$400,000. They don't ever  
11 get the chance of getting their money back because they  
12 haven't identified which region they are getting.

13                   They are secretly sitting there quietly  
14 doing nothing. If it is somebody we know is interested  
15 in region C, then we call them up and we say we can't take  
16 this. If it is somebody that we don't know that secretly  
17 wants to do region C, if they call us up to say okay, we've  
18 given you our money. We want to talk to state agencies,  
19 we say, no, we are going to give you your money back  
20 because we are not doing that.

21                   COMMISSIONER CAMERON: We have already  
22 said it is nonrefundable.

23                   CHAIRMAN CROSBY: Unless we don't do an  
24 RFP. It is refundable if you don't do an RFP.

1                   COMMISSIONER ZUNIGA: Yes, that was part  
2 of it.

3                   CHAIRMAN CROSBY: Actually, does anybody  
4 here have an opinion one way or the other? I think it  
5 is in the margins on either side, but some of you may  
6 represent proposers. Just out of curiosity, does  
7 anybody have an opinion one way or the other?

8                   COMMISSIONER STEBBINS: I think it's okay  
9 to kind of clarify a region. That tells us what specific  
10 community they are looking at, whether they put down A  
11 and B or just A or just B. We have decided now we are  
12 excluding them from region C because it doesn't make sense  
13 to get them started in a process that we don't know where  
14 to end.

15                  COMMISSIONER CAMERON: I think that would  
16 preclude someone doing what the Chair just mentioned. If  
17 we say A, B or A and B, then tell us which then there is  
18 no issue around someone trying to leave it blank and give  
19 us some money when their intention is C.

20                   I think we preclude that altogether and  
21 getting into now we're going to return your check.  
22 That's my only point. And I don't see any value at all  
23 in leaving it blank.

24                  COMMISSIONER ZUNIGA: How about this to

1 perhaps accomplish both goals. Just have a statement in  
2 the form that does not stipulate the region for anybody  
3 but that the undersigned understands that they are not  
4 intending to apply for region C for a type one casino  
5 license on region C. That is the one thing that we will  
6 not be able to accept.

7                   Otherwise, if it's a slots parlor  
8 anywhere, if it is a type one in any region, A, B, A or  
9 B.

10                   CHAIRMAN CROSBY: By signing here --

11                   COMMISSIONER ZUNIGA: By signing here you  
12 understand that you are not running for region C, type  
13 one.

14                   COMMISSIONER STEBBINS: But we wouldn't  
15 accept those anyways.

16                   COMMISSIONER CAMERON: But you are  
17 stating that clearly.

18                   COMMISSIONER STEBBINS: You are stating  
19 that clearly, but let's say, as the Chairman gave you an  
20 example, I'm currently poking around Western  
21 Massachusetts. I am sizing up a business strategy and  
22 competition and maybe I do want to consider B.

23                   If I am that operator and I am coming in  
24 to put down my \$400,000 and I mark region A, does that

1 limit me in my conversations with state agencies to only  
2 issues pertaining to the region A communities? If I say  
3 region A and B now I can talk to them potentially about  
4 other sites within region B.

5 CHAIRMAN CROSBY: Now that you mention it,  
6 if you only say A, but in your heart of hearts you really  
7 were interested in B, you give us your \$400,000 --

8 COMMISSIONER STEBBINS: I have access now  
9 to a state agency where I can do poke around and maybe  
10 talk about some issues related to a community in region  
11 B. We are clearly saying -- For some it will be they are  
12 going to put their stake in the ground and say region A.  
13 This is where I want to come in and begin to have a  
14 conversation

15 Using language that blocks anything in  
16 region C, which is I think to Commissioner Cameron's point  
17 is a good one. It is forbidden, but I may want to say  
18 A and B as maybe a given.

19 The agencies I'm going to be talking to  
20 some indication of a general idea of where they may want  
21 to be.

22 CHAIRMAN CROSBY: I think everybody gets  
23 their marginal point with Commissioner Zuniga's approach  
24 if we just make it clear that you are saying here that

1 you are not an applicant for region C. That makes it four  
2 square. Then they can fill in whatever they want, A and  
3 B.

4 COMMISSIONER ZUNIGA: A and B or leave  
5 blank.

6 COMMISSIONER CAMERON: That makes a lot of  
7 sense. That exactly makes the point that it clearly  
8 states that we will not be accepting. And if someone  
9 later on has an interest that clearly is an integrity  
10 issue. That accomplishes the goal. I would agree.

11 CHAIRMAN CROSBY: Okay.

12 COMMISSIONER ZUNIGA: I am done for good  
13 ideas.

14 COMMISSIONER STEBBINS: It's a good thing  
15 we are on the second to last agenda item.

16 CHAIRMAN CROSBY: You ran out of steam  
17 just in time. Did we vote on that last time? Did we vote  
18 on that form? Can we just agree now to edit that? So,  
19 we will edit that and reissue and replace the one that  
20 is up there. Janice, if maybe you can help me remember,  
21 I can do that either today or tomorrow.

22 We are done. Any other business that was  
23 not anticipated by the Chair? Anything else?

24 Motion to adjourn?

1 COMMISSIONER ZUNIGA: So moved.

2 CHAIRMAN CROSBY: Second?

3 COMMISSIONER STEBBINS: Second.

4 CHAIRMAN CROSBY: All in favor? I.

5 COMMISSIONER ZUNIGA: I.

6 COMMISSIONER CAMERON: I.

7 COMMISSIONER STEBBINS: I.

8 CHAIRMAN CROSBY: Thank you, folks.

9

10 (Meeting adjourned at 3:11 p.m.)

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1 ATTACHMENTS:

2

3 Attachment 1, Agenda

4 Attachment 2, July 31, 2012 Meeting Minutes of

5 Massachusetts Gaming Commission

6 Attachment 3, August 7, 2012 Meeting Minutes of

7 Massachusetts Gaming Commission

8 Attachment 4, Massachusetts Gaming Commission Employee

9 Handbook - Directory and Policy Questions

10 Attachment 5, August 8, 2012 email to Janice Reilly from

11 Charles Ticotsky Regarding Meeting

12

13 SPEAKERS:

14 Elaine Driscoll, Director Communication)

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C E R T I F I C A T E

I, Laurie J. Jordan, an Approved Court Reporter, do hereby certify that the foregoing is a true and accurate transcript from the record of the proceedings.

I, Laurie J. Jordan, further certify that the foregoing is in compliance with the Administrative Office of the Trial Court Directive on Transcript Format.

I, Laurie J. Jordan, further certify I neither am counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken and further that I am not financially nor otherwise interested in the outcome of this action.

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//Laurie J. Jordan// \_\_\_\_\_ Date: August 15, 2012

Court Reporter for Office Solutions Plus, LLC

My commission expires: May 11, 2018

//Elizabeth Tice// \_\_\_\_\_ Date: August 15, 2012

Elizabeth Tice, President, Office Solutions Plus, LLC

My commission expires: August 26, 2016