



Meeting Minutes

Date/Time: October 29, 2015 – 10:30 a.m.

Place: Massachusetts Gaming Commission
Hynes Convention Center
900 Boylston Street, Room 312
Boston, Massachusetts

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner James F. McHugh
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

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

Call to Order

See transcript page 2

[10:31 a.m.](#) Chairman Crosby called to order the 167th Commission Meeting.

Approval of Minutes

See transcript page 2

[10:31 a.m.](#) *Commissioner McHugh moved for the approval of the October 15, 2015 minutes with reservation of power to correct mechanical and typographical errors. Motion seconded by Commissioner Zuniga. Chairman Crosby abstained from the vote as he was absent from the meeting. Motion passed unanimously.*

Ombudsman

See transcript pages 3-107

[10:32 a.m.](#) Ombudsman John Ziemba provided an update on the Region C RFA-2 evaluation process which included the following: a letter was sent to Mass Gaming and Entertainment (“MGE”) stating that their RFA-2 application is complete, additional non-confidential MGE documents will be put up on

the MGC website, MGE will make a 90 minute presentation to the Commission on November 5th, and surrounding community and ILEV (Impacted Live Entertainment Venue) petitioners will make their presentation to the Commission on November 12th. Ombudsman Ziemba also thanked the Pinck & Co. team for their assistance with the reviews.

- [10:42 a.m.](#) Robert DeSalvio, President of Wynn MA, LLC, acknowledged Commissioner McHugh's last Commission meeting and thanked him for his service to the Commonwealth.
- [10:43 a.m.](#) Project Manager Chris Gordon and President DeSalvio presented on the Wynn Quarterly Report which included permitting, site remediation, design, off-site infrastructure, site preparation, project schedule, project resources and diversity, community events and outreach.
- [11:05 a.m.](#) President DeSalvio presented on the Wynn design review and highlighted building angle views, site and landscaping plan, ADA access, turn around lane, casino floor plan, hotel tower floor plan, and parking garage. President DeSalvio also responded to questions raised by the Commissioners pertaining to water taxi dock area, building height, lighting view, nightclub elimination, and outdoor event space.
- [11:41 a.m.](#) President DeSalvio provided a program update which included spa area, retail stores, food and beverage operations, glass walkway, parking changes and Orange Line subsidy.
- [11:54 a.m.](#) Rick Moore, representing City Point Partners, noted that Wynn has addressed their concerns and the types of changes discussed by Wynn are modest, and a normal part of the process as you move to a more detailed design.
- [11:59 a.m.](#) The Commission took a short recess.
- [12:12 p.m.](#) The meeting resumed.
- [12:12 p.m.](#) Ombudsman Ziemba provided a brief outline of MGM's design review process and recommended schedule for MGM to present on their notice of project change. He also noted that there will be a dedicated space on the MGC website to post information and receive comments pertaining to MGM Springfield and the proposed design changes.

Racing Division

See transcript pages 107-111

- [12:27 p.m.](#) Dr. Alexandra Lightbown, Director of Racing, reported on recommendation to approve request from the Massachusetts Thoroughbred Breeders Association to race at Finger Lakes in New York.

[12:29 p.m.](#) *Commissioner Stebbins moved that the Commission approve the request of the Massachusetts Thoroughbred Breeders Association to run five restricted Massachusetts bred races at Finger Lakes Racecourse in New York in 2015 after the nine stake races at Suffolk Downs is complete. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

[12:29 p.m.](#) Racing Director Lightbown reported on a request from Suffolk Downs to change post time on October 31st to 11:05 a.m.

[12:30 p.m.](#) Racing Director Lightbown reported on the dates for the public hearings on the 2016 horse racing license applications: Plainridge Park Casino - November 4th, Brockton and Middleborough Agricultural Society - November 4th, and Suffolk Downs - November 5th.

[12:31 p.m.](#) The Commission recessed for lunch.

[1:08 p.m.](#) The meeting resumed.

Fantasy Sports

See transcript pages 112-169

[1:08 p.m.](#) Chairman Crosby noted that the Commission is neither a decision maker nor a regulator of fantasy sports at this point. He stated the Commission has an interest in the gaming world, experience in introducing a new gaming industry, experience in regulations, and interests in looking out for the health of the lottery and our licensees. Chairman Crosby also noted Commissioner McHugh's interest in internet-based gaming.

[1:12 pm.](#) Commissioner McHugh presented a summary of his memorandum on internet gaming which included the status of internet gaming in the United States and Europe, initial concerns, and the different types of internet gambling, such as – casino style gambling, social gaming, skill-based betting, sports betting, and fantasy sports.

[1:34 p.m.](#) Staff Attorney Justin Stempeck presented on a survey of Massachusetts gaming law and federal statutory frameworks pertaining to fantasy sports.

[1:45 p.m.](#) Commissioner Gayle Cameron stated that she recently attended the International Gaming Regulators conference in which fantasy sports was a prominent topic. Commissioner Cameron noted that some concerns raised at the conference included the following: credibility and integrity of fantasy sports, player fairness, group play, insider information, licensing, background checks, no outside auditor, money laundering, responsible gaming, legal concerns, consumer protection, and unregulated advertising. Commissioner Cameron stated that she believes this is an area that should be regulated as she has seen the harm with illegal sports betting.

- [1:52 p.m.](#) Commissioner Zuniga noted that there are enough similarities in fantasy sports to other forms of gambling to merit regulation. He also stated that credit and responsible gaming should be looked at.
- [1:59 p.m.](#) Commissioner McHugh noted that gaming regulations protect the fairness and integrity of play for the consumer, protect the investment the Commonwealth receives, and create consumer confidence. He also noted that oversight is needed for large sums of money being transferred from one person to another.
- [2:02 p.m.](#) Commissioner Stebbins expressed concern about recent statements within the industry to self-monitor and a lack of a complaint process. Commissioner Stebbins stated there is a need to bring in subject matter experts to guide the Commission.
- [2:08 p.m.](#) Chairman Crosby stated that we need to think about this industry and determine if it requires regulation or just consumer protection. Chairman Crosby also stated that they will put together a white paper to address if this should be regulated and if so, why. Chairman Crosby acknowledged Richard Johnston, General Counsel for the Attorney General, who was present at the Commission meeting

Other Business Not Reasonably Anticipated

See transcript pages 169-178

- [2:17 p.m.](#) Chairman Crosby noted that it is Commissioner McHugh's last day.
- [2:18 p.m.](#) Attorney Richard Johnston, representing Attorney General Maura Healy, thanked Commissioner McHugh for his years of service on the Gaming Commission, for his commitment to public service, and wished him well in his retirement.
- [2:19 p.m.](#) Commissioner McHugh stated that his tenure with the Commission has been an incredibly rewarding journey. He stated that he took the position because it was an opportunity to build a first class public agency. He acknowledged the Commissioners and leadership staff, provided a summary of their professional accomplishments, and stated he was proud to have worked with them.
- [2:27 p.m.](#) *Having no further business, a motion to adjourn was made by Commissioner Zuniga and passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated October 29, 2015
2. Massachusetts Gaming Commission, Draft Meeting Minutes dated October 15, 2015
3. Massachusetts Gaming Commission, Region C Southeastern Massachusetts Estimated Category 1 (Resort Casino) Timeline, last updated October 13, 2015, with attachments
4. Wynn Everett Quarterly Report as of September 30, 2015 and Design Review
5. Letter from MGM to the City of Springfield, dated October 26, 2015 regarding Design Changes
6. Letter from Salvatore Circosta to the Massachusetts Gaming Commission, dated October 27, 2015 regarding Springfield MGM Casino Project with attachment
7. MGM Springfield, Notice of Project Change, dated October 15, 2015
8. Massachusetts Gaming Commission, Memorandum dated October 26, 2015 regarding Massachusetts Thoroughbred Breeders Association Request to Race at Finger Lakes Racecourse in New York, with attachment
9. Letter from the Massachusetts Gaming Commission's Racing Division to Suffolk Downs, dated October 21, 2015 regarding Approval to Change Post-time.
10. Massachusetts Gaming Commission, Racing Division's Notice of Public Hearing regarding Brockton Agricultural Society- Racing License Application
11. Massachusetts Gaming Commission, Racing Division's Notice of Public Hearing regarding Middleborough Agricultural Society – Racing License Application
12. Massachusetts Gaming Commission, Racing Division's Notice of Public Hearing regarding Plainridge Park Casino - Racing License Application
13. Massachusetts Gaming Commission, Racing Division's Notice of Public Hearing regarding Suffolk Downs - Racing License Application
14. Massachusetts Gaming Commission, Legal Division, Memorandum dated October 23, 2015 regarding Daily Fantasy Sports
15. Massachusetts Gaming Commission, Commissioner McHugh's Memorandum dated October 26, 2015 regarding Internet Gaming
16. Email from Justin Evans to the Massachusetts Gaming Commission, dated October 26, 2015 regarding Daily Fantasy Sports
17. Letter from Stop Predatory Gambling and the Public Health Advocacy Institute at Northeastern University to the Massachusetts Gaming Commission, dated October 26, 2015 regarding Daily Fantasy Sports

/s/ Catherine Blue

Catherine Blue, Assistant Secretary