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## Massachusetts Gaming Commission Meeting Minutes

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**Date/Time:** September 13, 2018 – 10:00 a.m.

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

**Present:** Chairman Steve Crosby  
Commissioner Bruce Stebbins  
Commissioner Enrique Zuniga  
Commissioner Eileen O'Brien  
Commissioner Gayle Cameron

**Time entries are linked to  
corresponding section in  
Commission meeting video, now with  
closed-captioning.**



### **Call to Order**

See transcript page 2

[10:00 a.m.](#) Chairman Crosby called to order public meeting #251 of the Massachusetts Gaming Commission.

### **Approval of Minutes**

See transcript pages 2 – 4

[10:00 a.m.](#) *Commissioner Stebbins moved to approve the minutes from the August 2<sup>nd</sup> Commission Meeting, subject to correction for typographical errors and other nonmaterial matters. Commissioner Cameron seconded the motion. The motion was approved 5 – 0.*

*Commissioner Stebbins further moved to approve the minutes from the August 14<sup>th</sup> Commission Meeting, subject to correction for typographical errors and other nonmaterial matters. Commissioner Stebbins requested that the word “encouraged” be changed to “could result” on page three, and that the location of an event be changed to Plainridge Park Casino. Commissioner Cameron seconded the motion. The motion was approved 5 – 0.*

## **Administrative Update**

See transcript pages 4 – 11

### 10:03 a.m.    **General Update**

Executive Director Ed Bedrosian provided an update on the timeline of the Investigation and Enforcement Bureau (IEB)'s suitability investigation of Wynn Resorts. As the investigation is being handled meticulously and thoroughly, the final stages are taking some extra time. He stated that it would be appropriate at the next public meeting on September 27<sup>th</sup>, to discuss the process of how this matter will be presented and decided on by the Commission.

Director Bedrosian also noted that the ratification of the temporary certificate of operations to a permanent certificate of operations for MGM Springfield is on today's agenda. He commented on the opening of MGM Springfield being a success and thanked staff members and departments for their roles in the process.

Condolences were expressed for a highly regarded senior gaming agent who passed away over the weekend due to a medical condition.

Director Bedrosian reported that there will be an agenda item at the next Commission meeting on September 27<sup>th</sup> to discuss the Commission's response to a letter that the Commission received regarding the application for Brockton / Region C.

Well wishes were extended to Colette Bresilla, a long-time employee who is leaving the Commission to pursue other ventures. On behalf of the Commission, Director Bedrosian wished her well on her endeavors.

## **Ombudsman**

See transcript pages 11 – 102

### 10:10 a.m.    **MGM Quarterly Report.**

The Commission reviewed MGM Springfield's second 2018 quarterly report presentation. Mike Mathis, President & COO of MGM Springfield summarized MGM's grand opening activity, reporting statistics and sales numbers for that weekend. Mr. Mathis also reviewed employee diversity statistics, outreach efforts, construction workforce statistics, and reported on the status of MGM Springfield's design and construction commitments.

### 10:21 a.m.    **MGM Opening Update**

Mr. Mathis gave a slide presentation that illustrated the events of MGM Springfield's grand opening. He noted that some adjustments were made to accommodate unforeseen needs that arose regarding security and policy. They will continue to make adjustments to their policies and procedures as needed.

### 11:12 a.m.    **MGM Certificate of Operations**

Commissioner Stebbins provided an update on MGM Springfield's temporary operations certificate. He thanked MGC staff for their work and stated that he was satisfied that MGM Springfield had satisfied their license conditions and was prepared for gaming operations. Commissioner Stebbins performed the required review over two test nights to determine the issuance of a permanent operations certificate. Commissioner Stebbins also encouraged the commission to make sure future openings would include at least two test nights with a period of time between each so operational corrections could be made.

Director Bedrosian recommended the Commission make the temporary operations certificate permanent. The status of compliance for various items was reported by Director Bedrosian, Construction Project Oversight Manager Joe Delaney, and Assistant Director of the IEB & Gaming Agents Division Chief Bruce Band.

Director Band reported that he is satisfied that MGM is operating professionally and within MGC's regulations. He further added that he is comfortable that the Commission can regulate MGM Springfield comfortably.

Overall, the status of all items is satisfactory among all parties.

11:28 a.m. *Commissioner Stebbins moved, pursuant to 205 CMR 151.01(3) that MGM Springfield is in material compliance with all of the prerequisites for the issuance of a permanent operations certificate, and that the Commission issue a permanent operations certificate to MGM Springfield.*

*Commissioner Stebbins further moved that the issuance of the permanent operations certificate is subject to MGM Springfield's continued compliance with all of its project commitments and conditions that are part of its application, its license and permits, and that such a permanent operations certificate is subject to compliance with the conditions and agreements previously imposed by the Commission on MGM Springfield. Commissioner Zuniga seconded the motion. The motion passed 5 – 0.*

11:41 a.m. **Gaming Policy Advisory Committee Appointments**

The Commissioners reviewed a request for the reappointment of several members of the Local Community Mitigation Advisory Committee (LGAC) and subcommittees under the LGAC. Individuals listed in the Ombudsman's memo to the Commissioners were recommended for region A and region B. Also, the Commission is tasked with appointing a commission representative for the subcommittees on community mitigation, public safety, and addiction services.

11:44 a.m. *Commissioner Cameron moved that the Commission reappoint Colin Kelly, Mayra Negrón-Rivera, Kate Kane, Richard K. Sullivan, Jr., and Ellen Patashnick to the various regional Local Community Mitigation Advisory Committee appointments from the different regions. Commissioner Zuniga seconded the motion. The motion passed 5 – 0.*

[11:48 a.m.](#) *Commissioner O'Brien moved that the Commission approve Commissioner Stebbins to be appointed to the Community Mitigation Advisory Subcommittee, that Commissioner Cameron be appointed the Public Safety Subcommittee, and that Commissioner Zuniga be appointed to the Addiction Services Subcommittee for the upcoming year. Chairman Crosby seconded the motion. The motion passed 5 – 0.*

Further, it was discussed that Commissioner O'Brien would assist in the Public Safety and Community Mitigation Subcommittee meetings.

[11:50 a.m.](#) **2019 Community Mitigation Fund Guidelines**

The Commission reviewed a memo outlining the beginning of the process for approving the guidelines for 2019 Mitigation Fund program. Ombudsman Ziemba requested that the Commission review the list of questions for the application at a later date, and determine if there are any additional questions they would like to add, or if there is anything the Commission would like to delete or change on the list of questions. Items anticipated to be discussed for consideration in the fall were highlighted.

**Licensing Division**

See transcript pages 102 – 106

[12:08 p.m.](#) **Plainridge Park Casino Employee/Vendor Exemption Request**

The Commission was asked to consider 3 job positions for Dunkin' Donuts at Plainridge Park Casino for exemption from the registration requirement. Those positions are restaurant manager, shift leader, and crew member.

[12:11 p.m.](#) *Commissioner Cameron moved that the Commission approve the exemption of the three Dunkin' Donuts positions as provided in the packet. Commissioner Zuniga seconded the motion. The motion passed, 5 – 0.*

**Legal Division**

See transcript pages 106 - 110

[12:12 p.m.](#) **Final Draft Version of 205 CMR 135.01: Definitions, and 205 CMR 139.04: Reports and Information to be Filed with the Commission and Amended Small Business Impact Statement**

The Commission reviewed amendments that update the process by which the Commission recognizes entities certified as Veteran Business Enterprises.

[12:13 p.m.](#) *Commissioner Cameron moved to approve the Amended Small Business Impact Statement for 205 CMR 135.01: Definitions and 205 CMR 139.04: Reports and Information to be Filed with the Commission, as included in the packet. Commissioner Stebbins seconded the motion. The motion passed, 5 – 0.*

*Commissioner Cameron further moved that the Commission approve the version of 205 CMR 135.01: Definitions, and 205 CMR 139.04: Reports and Information to be Filed with the Commission, as included in the packet and authorize staff to take all steps necessary to finalize the regulation promulgation process. Commissioner Stebbins seconded the motion.  
The motion passed, 5 – 0.*

[12:14 p.m.](#) **Final Draft Version of 205 CMR 140.04: Reports and Reconciliation Regarding Gross Gaming Revenue Tax and Amended Small Business Impact Statement**

The Commission reviewed an amendment that updates the protocol for processing the monthly gross gaming revenue report that is filed with the Commission.

[12:15 p.m.](#) *Commissioner O'Brien moved that the Commission approve the Amended Small Business Impact Statement for 205 CMR 140.04: Reports and Reconciliation Regarding Gross Gaming Revenue Tax, as included in the packet.*

*Commissioner O'Brien further moved that the Commission approve 205 CMR 140.04: Reports and Reconciliation Regarding Gross Gaming Revenue Tax, as included in the packet and authorize staff to take all steps necessary to finalize the regulation promulgation process. Commissioner Cameron seconded the motion.*

*The motion passed, 5 – 0.*

### **Commissioner's Updates**

See transcript pages 110 - 113

[12:15 p.m.](#) Commissioner Stebbins attended the kickoff of the new cohort of the gaming school in Springfield, and commented that there were current MGM employees enrolled, which is a good sign because that indicated that they may have been there to learn another game, develop their skills, or advance their career.

Commissioner Cameron noted that this will be the last weekend out at Suffolk Downs for thoroughbred racing for the year, and she is hoping that they have a successful meet this weekend.

Chairman Crosby stated that he was at a breakfast where the Sheriff of Middlesex County was speaking, and he has developed a prison prerelease program involving culinary training that could be a possible source of candidates for Encore Boston Harbor.

Commissioner Zuniga attended a listening session in Springfield from the Department of Public Health that Victor Ortiz conducted, with a number of nonprofits and human service stakeholders. Concerns about CORI law were addressed in the previous year by the Commission as well as other sources, and the positive changes that were made to the legislature were discussed.

12:23 p.m. *Having no further business, a motion to adjourn was made by Commissioner Cameron. Commissioner Zuniga seconded the motion. The motion passed unanimously.*

**List of Documents and Other Items Used**

1. Notice of Meeting and Agenda, dated September 13, 2018
2. Meeting Minutes Draft, dated August 2, 2018
3. Meeting Minutes Draft, dated August 14, 2018
4. MGM Springfield Q2 Quarterly Report PowerPoint Presentation 1
5. MGM Springfield Q2 Quarterly Report Power Point Presentation 2
6. MGM Springfield MGC Update Presentation
7. MGM Springfield Permanent Operations Certificate
8. Memo: 2018 Status of Subcommittees
9. Memo: 2019 Policy Questions
10. Dunkin' Donuts Employee Exemption Memo
11. MGC Dunkin' Donuts Job Description – Restaurant Manager
12. MGC Dunkin' Donuts Job Description – Shift Leader
13. MGC Dunkin' Donuts Job Description – Crew Member
14. Amended Small Business Impact Statement for 205 CMR 135.01, 139.04
15. Draft of amended regulations 205 CMR 135.01 and 139.04
16. Amended Small Business Impact Statement for 205 CMR 140.04
17. Draft of amended regulation 205 CMR 140.04

/s/ Catherine Blue  
Assistant Secretary