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## Meeting Minutes

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**Date:** April 25, 2013

**Time:** 1:00 p.m.

**Place:** Division of Insurance  
1000 Washington Street  
1<sup>st</sup> Floor, Meeting Room 1-E  
Boston, Massachusetts

**Present:** Commissioner Stephen P. Crosby, Chairman  
Commissioner Bruce Stebbins  
Commissioner Enrique Zuniga

**Absent:** Commissioner Gayle Cameron  
Commissioner James F. McHugh

**Call to Order:**

Chairman Crosby opened the 65<sup>th</sup> public meeting.

**Approval of Minutes:**

See transcript pages 2-3.

*Motion made by Commissioner Zuniga that the minutes of April 4, 2013 be approved as submitted. Motion seconded by Commissioner Stebbins. The motion passed unanimously.*

**Administration:**

Report by Executive Director Day. See transcript pages 3-11.

The Commissioners will be shifting away from the day-to-day operations of the staff and toward a greater policymaking role with the staff providing the majority of updates of daily operations. The Commission plans to conduct regular meetings on a biweekly basis starting in May and these meetings will generally occur on Thursdays beginning at 9:30am. The next Commission meeting is scheduled for Friday, May 3 at 9am. As part of that meeting the Commission will hold a public hearing on the proposed Phase 2 regulations and after the public hearing will address other general matters originally planned for the May 2 meeting. The May 2 meeting has been cancelled. The Commissioners would like to postpone discussion on a standard procedure of public comment until all Commissioners are present.

**Qualifier List:**

See transcript pages 11-22.

The Commission discussed the issue of regular updates to the list of qualifiers and determined that staff will update the list once every 30 days. The Commission also agreed to post the list on its website so that there is a single authoritative source for the qualifier list. The published list will be dated and include a statement indicating that the list is complete as of the date noted and that the list is periodically updated.

**Master Schedule:**

See transcript pages 22-76.

Executive Director Day stated that he would like to move the submission of the IEB suitability reports to the Commission for Category 2 applicants to May 14 and the submission of the IEB suitability reports to the Commission for Category 1 applicants to the period of August 5-30 on a rolling basis as the investigations are completed. He would also like to see the deadline for Category 1 RFA-2 applications moved from December 31 to December 2. The Commission agreed but stated that it will not compromise the suitability review or the evaluation of the RFA 2 applications in order to award licenses prior to the end of fiscal year 2014. The Commission is aiming to release the RFA-2 application forms at approximately the same time as promulgation of the Phase 2 regulations, which is scheduled for June 7.

The Commission discussed whether it would be beneficial to amend the proposed Phase 2 regulation to provide involuntary disbursements to surrounding communities 60 days prior to submission of the RFA-2 application. After discussion, the Commission agreed that involuntary disbursements should occur at least 90 days prior to RFA-2 application submission for the Category 1 applicants and at least 60 days prior to RFA-2 application submission for Category 2 applicants.

The Commission discussed amending the proposed Phase 2 regulations to require applicants to notify surrounding communities when they file their RFA-2 applications and provide surrounding communities with copies of any impact or mitigation statements filed with the RFA-2 application with that notice. The Commission also noted that it will need the assistance of advisors to review the RFA-2 applications, and that in order to have the advisors in place, it must begin the RFP process no later than May 17.

**Racing Division:**

See transcript pages 76-79.

The Racing Division is seeking approval from the Commission to send to the Legislature the proposed racing regulations in 205 CMR 4.00 and 6.00 and to extend the emergency regulations for an additional 30 days. The proposed regulations are identical to the emergency regulations that the Commission had previously approved.

*Motion made by Commissioner Zuniga to approve the recommendation of the racing staff and counsel to forward the proposed racing regulations in 205 CMR 4.00 and 205 CMR 6.00 to the legislature and to extend the emergency regulations on the same by 30 days. Motion seconded by Commissioner Stebbins. The motion passed unanimously.*

**Research Meeting:**

See transcript pages 79-86.

The Commission discussed the current status of the research project. Commissioner Crosby asked that the legal team incorporate into a future round of regulations the requirements of sections 91 and 97 of Chapter 194 of the Acts of 2011 regarding the proprietary information that licensees must provide in anonymized form for research purposes. The regulations should also include a requirement that licensees cooperate with the research team in conducting surveys and providing information prior to the operation of the casino and continuing during the operation of the casino. Commissioner Zuniga stated that the budget for the first fifteen months of the research agenda will be about three million dollars and he will discuss how this expenditure fits into the Commission's cash flow budget at the next meeting. The research team is subject to the Commission's enhanced code of ethics and the Commission will provide the necessary information to ensure that members of the research team know their obligations for compliance. The research team will coordinate with the DPH to prevent any duplication of efforts.

*Motion made to adjourn, motion seconded and carried unanimously.*

**List of Documents and Other Items Used at the Meeting**

1. Massachusetts Gaming Commission April 25, 2013 Notice of Meeting and Agenda
2. Massachusetts Gaming Commission April 4, 2013 Meeting Minutes

/s/ Catherine Blue  
Catherine Blue  
General Counsel