

**DISCLOSURE BY NON-ELECTED STATE EMPLOYEE OF FINANCIAL INTEREST
AND DETERMINATION BY APPOINTING AUTHORITY RECEIVED
AS REQUIRED BY G. L. c. 268A, § 6 STATE ETHICS COMMISSION**

	STATE EMPLOYEE INFORMATION	2012 AUG 13 AM 9:45
Name:	Kathleen M. O'Toole	
Title or Position:	Gaming Consultant, Special State Employee, Massachusetts Gaming Commission	
State Agency:	Massachusetts Gaming Commission	
Agency Address:	84 State Street, Suite 720 Boston, MA 02109	
Office Phone:	617-283-3310	
Office E-mail:	otoolassociates@aol.com	
	My duties require me to participate in a particular matter, and I may not participate because of a financial interest that I am disclosing here. I request a determination from my appointing authority about how I should proceed.	
	PARTICULAR MATTER	
Particular matter E.g., a judicial or other proceeding, application, submission, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, decision, determination, or finding.	Please describe the particular matter. Under Chapter 194 of the Acts of 2011 and G.L. c. 23K, the Massachusetts Gaming Commission (the "Commission") is authorized to promulgate rules, regulations, policies, procedures, an enhanced code of ethics, and other requirements and determinations affecting the activities of its employees and contractors as they may relate to potential gaming establishments within the Commonwealth, the host and surrounding communities for those facilities, and a wide variety of other matters within the Commission's broad jurisdiction.	
Your required participation in the particular matter: E.g., approval, disapproval, decision, recommendation, rendering advice, investigation, other.	Please describe the task you are required to perform with respect to the particular matter. The firms of Michael and Carroll and Spectrum Gaming for which I am a sub-contractor have been retained pursuant to an RFR process as a special consultant to the Commission to provide the commission with advice regarding a number of matters including preparation, drafting, reviewing, implementing and enforcing the rules, regulations, policies, procedures, enhanced code of ethics and other requirements and determinations described above. For purposes of this engagement, I and other members of my firm have been designated as special state employees pursuant to our contract with the Commission.	
	FINANCIAL INTEREST IN THE PARTICULAR MATTER	
Write an X by all that apply.	<input checked="" type="checkbox"/> I have a financial interest in the matter. <input type="checkbox"/> My immediate family member has a financial interest in the matter. <input type="checkbox"/> My business partner has a financial interest in the matter. <input checked="" type="checkbox"/> I am an officer, director, trustee, partner or employee of a business organization, and the business organization has a financial interest in the matter. <input type="checkbox"/> I am negotiating or have made an arrangement concerning future employment with a person or organization, and the person or organization has a financial interest in the matter.	

Financial interest in the matter	<p>Please explain the financial interest and include a dollar amount if you know it.</p> <p>Under the Particular Matters described above, the Commission may regulate its contractors and their principles, which would include my firm and its employees, in a manner that may directly or indirectly affect our reasonably foreseeable financial interests. Specifically, the Commission may promulgate regulations, including an enhanced code of ethics that regulate or proscribe investments by contractors, their principles or members of their immediate families pursuant to G. L. c. 23K and 268A and/or that limit the work contractors or their principles may perform for other clients. It is not possible to determine the dollar amount of any such potentially affected financial interests as the regulations have not yet been finalized or promulgated.</p>
Employee signature:	<i>James McHugh</i>
Date:	<i>7/27/12</i>

DETERMINATION BY APPOINTING OFFICIAL

	APPOINTING AUTHORITY INFORMATION
Name of Appointing Authority:	Massachusetts Gaming Commission, James McHugh, Commissioner
Title or Position:	Commissioner with delegated authority
Agency/Department:	Massachusetts Gaming Commission
Agency Address:	84 State Street, Suite 720 Boston, MA 02109
Office Phone:	617-979-8400
Office E-mail:	James.McHugh@state.ma.us
	DETERMINATION
Determination by appointing authority: Write an X by your selection.	<p>As appointing official, as required by G.L. c. 268A, § 6, I have reviewed the particular matter and the financial interest identified above by a state employee.</p> <p><input type="checkbox"/> I am assigning the particular matter to another employee, or</p> <p><input type="checkbox"/> I am assuming responsibility for the particular matter, or</p> <p><input checked="" type="checkbox"/> I have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the Commonwealth may expect from the employee.</p>
Appointing Authority signature:	<i>James McHugh</i>
Date:	<i>8/10/12</i>
Comment:	<i>This Commission, not the consultants, will decide on the appropriate contents of the regulations.</i>

Attach additional pages if necessary.

File copy with:

State Ethics Commission, One Ashburton Place, Room 619, Boston, MA 02108