

The Commonwealth of Massachusetts

Massachusetts Gaming Commission

84 State Street, Suite 720
Boston, Massachusetts 02109

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JUL -6 AM 9:51

CHAIRMAN

STEPHEN P. CROSBY

COMMISSIONERS

GAYLE CAMERON

JAMES F. McHUGH

BRUCE W. STEBBINS

ENRIQUE ZUNIGA

TEL: (617) 979-8400

FAX: (617) 725-0528

www.mass.gov/gaming

June 6, 2012

Mr. Jamey Tessler
Office of the State Treasurer
One Ashburton Place, 12th floor
Boston, MA 02108

Dear Jamey:

As part of its organizational process, the Massachusetts Gaming Commission is about to consider adoption of a variety of personnel policies, including policies that deal with vacations, sick leave, insurance, benefits and other common ingredients of a comprehensive personnel policy. In addition, pursuant to G.L. c. 23K, § 3(m), the Commission will soon begin work on a code of ethics that is more restrictive than the code contained in G.L. c. 268A and 268B. The more restrictive code may, among other things, impose restrictions on the financial affairs of Commissioners and Commission staff more stringent than those contained in existing law.

The activities just described trigger the reporting and determination requirements contained in G.L. c. 268A, § 6. Accordingly, I am enclosing a letter to Treasurer Grossman containing the required disclosure and requesting that he make the appropriate determination. I am also enclosing a similar letter from Commissioners Cameron and Stebbins.

Please do not hesitate to let me know if you have any questions regarding this issue. Thank you in advance for your help.

Sincerely,

A handwritten signature in black ink, appearing to read "Enrique Zuniga".

Enrique Zuniga
Commissioner



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June 6, 2012

The Honorable Steven Grossman
Office of the State Treasurer
State House, Room 227
Boston, MA 02133

Dear Treasurer Grossman:

As part of its organizational process, the Massachusetts Gaming Commission is about to consider adoption of a variety of personnel policies, including policies that deal with vacations, sick leave, insurance, benefits and other common ingredients of a comprehensive personnel policy. In addition, pursuant to G.L. c. 23K, § 3(m), the Commission will soon begin work on a code of ethics that is more restrictive than the code contained in G.L. c. 268A and 268B. The more restrictive code may, among other things, impose restrictions on the financial affairs of Commissioners and Commission staff more stringent than those contained in existing law.

Although my duties as a Commissioner require me to participate in creation and promulgation of the personnel policies and ethics code just described, those policies and that code may affect my personal financial interests. If so, participation in the creation and promulgation process would amount to participation in a "particular matter" in which I have a financial interest. Therefore, pursuant to G.L. c. 268A, § 6, I am notifying you, as my appointing authority, of the issue and requesting that you make the determination § 6 requires. For that purpose, I am enclosing the form the State Ethics Commission has created for reporting like matters.

I shall be happy to discuss with you or any member of your staff any questions you have regarding this matter. Thank you in advance for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Enrique Zuniga", written over a horizontal line.

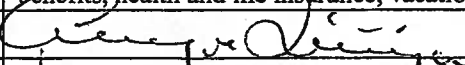
Enrique Zuniga
Commissioner

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

RECEIVED
STATE ETHICS COMMISSION

2012 JUL -6 AM 9:51

STATE EMPLOYEE INFORMATION	
Name:	Enrique Zuniga
Title or Position:	Commissioner
State Agency:	Massachusetts Gaming Commission
Agency Address:	84 State Street, Suite 720 Boston, MA 02109
Office Phone:	617-979-8400
Office E-mail:	Enrique.Zuniga@state.ma.us
	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. Pursuant to Chapter 194 of the Acts of 2011 and G.L. c. 23K, the Massachusetts Gaming Commission (the "Commission") is authorized/or required to promulgate rules, regulations, policies, and procedures and to make determinations concerning the compensation and benefits provided to the Commission's employees, a code of ethics governing employees' activities and investments, the licensing and oversight of potential gaming establishments within the Commonwealth, the host and surrounding communities that may experience impacts from the development or operation of a gaming establishment.
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. As a Commissioner, I and my fellow commissioners are charged with official responsibility for all matters within the Commission's jurisdiction, including the Particular Matters described above.
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 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	Please explain the financial interest and include a dollar amount if you know it. Within the scope of my Required Participation in the Particular Matters described above, I will be required to participate in operational and regulatory determinations that will or may affect my reasonably foreseeable financial interests or those of my immediate family. Specifically, the Commission will be developing employment policies and an enhanced code of ethics that may affect the financial interests of its employees, including the Commissioners, as to employee benefits, health and life insurance, vacation, retirement benefits, and permissible investments.
Employee signature:	
Date:	June 7, 2012

DETERMINATION BY APPOINTING OFFICIAL

	APPOINTING AUTHORITY INFORMATION
Name of Appointing Authority:	Steven Grossman
Title or Position:	Treasurer
Agency/Department:	Office of the Treasurer
Agency Address:	Massachusetts State House Room 227 Boston, MA 02133
Office Phone:	617-367-6900
Office E-mail	jtesler@tre.state.ma.us
	DETERMINATION
Determination by appointing authority: Write an X by your selection.	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. <input type="checkbox"/> I am assigning the particular matter to another employee, or <input type="checkbox"/> I am assuming responsibility for the particular matter, or <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.
Appointing Authority signature:	
Date:	6/25/12
Comment:	

Attach additional pages if necessary.

File copy with:

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