

SENATE No. 168

By Mr. Brownsberger, a petition (accompanied by resolve, Senate, No. 168) of William N. Brownsberger, Jonathan Hecht and John J. Lawn, Jr. for legislation to establish a special commission to investigate video games as a form of media and as a training tool. Economic Development and Emerging Technologies.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

Resolve establishing a special commission to investigate video games as a form of media and as a training tool.

1 Resolved, That a special commission is hereby established for the purposes of making an
2 investigation and study relative to video games as a form of media and as a training tool. Within
3 that context, the commission will focus upon video games that allow the player to simulate
4 severe battery or killing (“killing games”). The commission will study, investigate, and provide
5 conclusions regarding: (i) the social benefits, impacts and implications of video games in general
6 and killing games in particular, comparing the impact on youth with the impact on adults; (ii) the
7 use of video games as military training devices, educational devices, and other training
8 applications; (iii) how video games compare to other forms of media in terms of their ability to
9 recreate a realistic experience, to desensitize the consumer, to train the consumer to accept
10 certain ideas, and to teach the player new skills or capabilities; (iv) the addictive quality of video
11 games; (v) any connection, including any exposure to or imitation of behaviors exhibited in
12 video games, between killing games and actual violence, including rampage killings that have
13 taken place since 1990; (vi) the reasoning and conclusions drawn in the majority, concurring,
14 and dissenting opinions in *Brown v. Entertainment Merchants Association*, as well as other
15 freedom of speech considerations relative to the regulation of video games, in light of the
16 conclusions drawn by the commission pursuant to (i)-(v); and (vii) the anticipated cost of any
17 proposals to regulate video games. The commission members will play or observe killing games
18 directly during the course of their investigation.

19 The commission shall consist of: the Governor or a designee, who shall chair the
20 commission; a member of the general public appointed by the Governor; 3 members of the
21 Senate, chosen by the Senate President, 1 of which is a member of the minority party; 3 members
22 of the House of Representatives that are chosen by the Speaker, 1 of which is a member of the

23 minority party; 1 constitutional lawyer who specializes in freedom of speech; the Massachusetts
24 Attorney General or a designee; 2 psychologists or psychiatrists, at least one of whom is a mental
25 health professional specializing in addiction; the Secretary of Education or a designee who is an
26 educator; a member of the military who engages in military training; a representative of the
27 video game industry; and a representative of the law enforcement community.

28 Legislative appointments shall be made not later than 30 days after the effective date of
29 this resolve. The chairperson shall meet with the full commission not later than 90 days after the
30 effective date of this resolve. Members shall not receive compensation for their services but may
31 receive reimbursement for the reasonable expenses incurred in carrying out their responsibilities
32 as members of the commission. Upon appropriation of sufficient funds, the commission shall
33 engage professional advisors as needed to accomplish its purposes.

34 Not later than 270 days after the effective date of this resolve, the commission shall
35 report to the general court the result of its investigation and study and its recommendations, if
36 any, together with drafts of legislation necessary to carry its recommendations into effect by
37 filing the same with the clerk of the House of Representatives.