New York state racing, her mutual wagering and breeding Law Section 102 provides of the New York state. Gaming Commission shall consist to 7 members.

Appointed by the governor by, in, with the advice and consent to the Senate.

4 members confirmed by the New York state Senate are necessary to afford the commission and ability to establish a quorum and undertake action.

This present meeting of the commission is now called to order.

This meeting is being conducted in conformity with chapter 1 of the laws of 2022, such chapter authorizes state and local government entities to meet and take such action authorized by law without permitting in person.

Public access to meetings and authorizes such meetings to be held remotely by conference call or other similar service,

provided that the public can view,

or listen to such proceeding and that such meetings are recorded and later transcribed.

Accordingly this meeting is being conducted in conformance with such allowance.

And we are both allowing the public to listen to our proceeding and we are recording today's meeting for transcription as required.

Miss Secretary will you please call the role. John Crotty? Here

Peter Moschetti Moschetti: here.

John Poklemba: here Christopher Riano. Here

Barry Sample: here. Jerry Skunick: here
Minutes of the commission meeting conducted on February 28th 2022 has been provided to the members in advance. 

At this time, I'd like to ask the members.

Any members have edits corrections or amendments.

Hearing none.

Miss Secretary, please let the record reflect that the minutes were accepted.

Rulemaking, New York state racing, pari-mutuel wagering and breeding Law section. 104.19 authorizes commissioned to promulgate rules and regulations.

That is deemed necessary to carry out its responsibility. In that regard. The commission will from time to time promulgate rules and rule amendments pursuant to the state administrative procedure act.

Today we have 1 rule for adoption Rob?

For commission consideration is the adoption of a rule making to authorize organizations to sell raffle tickets through the Internet or mobile device platforms subject to prescribed commission regulation.

This proposal harmonizes, the location requirements for servers or other electronic equipment. That would accept Internet or mobile raffle wagers.

With the requirements for servers or other electronic equipment that accept sports wages the rule would implement general,

which requires the commission to ensure that the purchase of a raffle ticket is initiated and received or otherwise made on the premise of an authorized organization or an authorized games of chance lessor,
in a municipality that complies with the conditions set forth in general, municipal law sections 189.13 B1 through 189.13 B4.

This proposal would require a charitable organization, wishing to conduct the Internet or mobile device raffle sales to demonstrate that the server or other electronic equipment from the Internet, or mobile raffle sales are initiated and located in compliance with statutory requirements.

Demonstrate geo location and capabilities to comply with the statutory geo location requirements.

Have the age verification procedures to prevent play by minors.

Offer parental controls, have procedures to prevent promotional materials being sent to minors.

Have privacy protection procedures.

Have procedures to protect the security of personal, important information of ticket purchasers from unauthorized disclosure.

And implement procedures to exclude persons on the The statewide self exclusion lists from making a purchase.

In addition, software providers and platforms would be required to be licensed as a games of chance, supplier and paragraph 7 through 9 of commission rule. 4620.22 B, would be renumbered as paragraphs 9 through 11.

The notice of proposed rulemaking was published in the state register on January, 12, 2022.
Meaning that the public comment period expired on March 14th, 2022.

2 comments were received both from companies that provide technology
platforms for organizations,

offering,

charitable gambling,

Ascend fundraising solutions,

and Bump worldwide,

both ascend and bump expressed a preference for hosting websites in a
cloud based platform while proposed rule 46 2022.

b7 Romanette 2 would require a server to be located in a municipality in
New York in which the sale of raffle tickets is authorized as set forth
in general, municipal law section. 189.13.

The commentators make a policy argument that is inconsistent with the New
York statutes. General, municipal law section 189.16 incorporates the
general raffle location requirements.

Of section, 189.13 requiring in the context of an Internet or mobile
application platform that a raffle wager be received, or otherwise made
in local locations.

Staff believes the cyber space cloud would not satisfy statutory
requirements.

Bump also asserts that having the server located locally would not make
the platform more secure.

Because platform providers would not readily be available to access
control access or provide support and maintenance.
Bump asserts that there would be no ability to ensure off site, backup and storage of critical data.

In states that the raffle requirement and raffle ticket purchase requirement, be initiated and accepted in authorizing municipality could be satisfied.

Through portable or handheld electronic equipment.

On a cloud based platform staff notes that there is no restriction in the proposed rule that would prevent offsite backup of data.

Bump and Ascend also suggest that proposed rule 46,022 b7 Romanette 3, which requires the purchaser of a raffle ticket through an Internet or mobile platform.

The 1st, to establish a raffle ticket account would burden players and negatively impact participations.

Ascend suggests that guest purchases.

Which we assumed to be non account based purchases.

Should be permitted bump indicated that their current clients do not want personal information of players.

Nor want the risk associated with maintaining personal and sensitive information. Staff believes the requirement to establish player counts is consistent with the regulation of the other types of Internet based wagering in New York.

As the sale of Internet Raffles is optional to an authorized organization. Any that feel burdened by the regulatory requirements would not be obligated to participate and could instead continue to sell raffle tickets by traditional means.
Both commentators also raised concern with the self-exclusion component of the rules.

Proposed rule section 46, 2022 Romanette 4.

Romanette 6 C and Romanette 6 f would prohibit the sale of a raffle ticket to persons on the commission self-exclusion list and require procedures to prevent such purchases.

In response, bumps suggests a self-reporting verification step in states that requiring an organization to double check. A self-reporting verification is not plausible.

Ascend inquired whether the collection of birth dates would suffice.

And questions how self-exclusion would be implemented, and whether the commission would provide access to a database of self-excluded persons.

Staff believes that self-reporting of age would be ineffective to prevent play under age. Commission, staff would also assist any licensee with the implementation of a self-exclusion program.

With respect to proposed rule 46,022 b7.

Romanette 6 C Bump suggests that self-reporting of the age would sufficiently protect a participant and that compliance and implementation costs to the proposed rule would diminish charitable gaming revenue.

Staff believes that self-reporting of age would be ineffective to prevent on a under age play.
Proposed rule 46, 2022 b7.

C2 requires an authorized organization to demonstrate how it would prevent underage play. Staff also notes the age verification is a component of a wide variety of Internet gaming applications and as stated earlier an authorized organization that feels that they are burdened by regulatory requirements.

Are not obligated to sell raffle tickets on the Internet and could instead continue to sell raffle tickets by traditional means.

Finally staff notes a typographical error that should be corrected upon adoption as a non-substantive change as the word.

Or should be of,

in 1 instance in proposed rule 46,022 be 7 Roman at 3 staff,

recommends that the commission adopt this rule maker commissioners any questions on the adoption of a rule authorizing regulation of charitable gaming Internet Raffles.

Hearing none may I have a motion to adopt this rule so.

Any second? Discussion of the motion.

Hearing none all in favor. Aye.

Motion carried, uh, next item. Do we have any new business?

Hearing none do we have any old business.

Hearing none that will conclude our published agenda for the day.

Um, traditionally we need the last Monday of the month.
Of April, we work with Kristen to identify the appropriate date for everyone when we'd be available.

And may have a motion to conclude today's meeting.

So, move 6th.

Thank you. Thank you. Mr.