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NEW YORK STATE
GAMING COMMISSION

MINUTES

MEETING of AUGUST 30, 2016

SARATOGA SPRINGS, NEW YORK

A meeting of the Commission was conducted in Saratoga Springs, New York. A video-conference location was maintained in Harlem, New York.

1. Call to Order

Executive Director Robert Williams called the meeting to order at 2:42 p.m. Establishment of a quorum was noted by Acting Secretary Kristen Buckley. In attendance in Saratoga Springs, New York were Commissioners Peter Moschetti and and Barry Sample. Commissioners John Crotty and John Poklemba attended in Harlem, New York. Bi-lateral audio and visual communications were maintained between locations. Commissioner Moschetti was unanimously elected as presiding officer for the meeting.

2. Consideration of the Minutes from July 25, 2016

The Commission considered previously circulated draft minutes of the meeting conducted on July 25, 2016. The minutes were accepted as circulated.

3. Report of the Executive Director

Executive Director Williams provided a brief report on fatalities occurring at the Saratoga Race Couse during the 2016 season and briefly discussed an impending retirement.

4. Rulemaking

a. ADOPTION: SGC-24-16-00007-P, Repeal of Obsolete Thoroughbred Rule Giving Extra Weight Allowance for Apprentice Jockey Riding For "Original Contract Employer" (9 NYCRR § 4032.1)

The Commission considered adoption of a repeal of an outdated Thoroughbred horse racing rule.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

b. ADOPTION: SGC-28-16-00006-P, Criteria and Procedures For Patron Exclusion At A Gaming Facility (9 NYCRR § 5327)

The Commission considered adoption of rules for excluded persons at casinos.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

c. ADOPTION: SGC-28-16-00007-P, Definitions of Terms Used Throughout Subchapter B, Casino Gaming (9 NYCRR § 5300.1)

The Commission considered adoption of amendments to the rule setting forth the definitions of terms used in the Commission's rules on casino gaming.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

d. ADOPTION: SGC-28-16-00008-P, Regulation of Table Gaming Equipment (9 NYCRR § 5322)

The Commission considered adoption of rules that set forth requirements for the inspection, use, storage and destruction of table game equipment.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

e. ADOPTION: SGC-28-16-00009-P, Licensing and Registration of Junkets and Junket Enterprises (9 NYCRR § 5308)

The Commission considered adoption of rules for the licensing of casino junkets.

ON A MOTION BY: Commissioner Sample

APPROVED: 4-0

f. ADOPTION: SGC-28-16-00010-P, Registration of Labor Organizations (9 NYCRR § 5310)

The Commission considered adoption of rules for the registration of labor organizations.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

g. ADOPTION: SGC-28-16-00011-P, Casino Table Games Conduct and Operation (9 NYCRR 5323)

The Commission considered adoption of rules that prescribe requirements for the conduct and operation of table games at licensed casino gaming facilities.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

h. ADOPTION: SGC-28-16-00012-P, Registration of Lobbyists (9 NYCRR § 5309)

The Commission considered adoption of rules for the registration of casino lobbyists.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

i. Proposed Casino Rulemaking: Accounting Controls (9 NYCRR Part 5315)

The Commission considered proposing rules for gaming facility accounting controls.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

j. Proposed Casino Rulemaking: Cage and Count Standards (9 NYCRR Part 5316)

The Commission considered proposing rules for cage and count standards and kiosks at casinos.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

k. Proposed Casino Rulemaking: Electronic Gaming Devices and Equipment (9 NYCRR Part 5321)

The Commission considered proposing rules for electronic gaming devices.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

***l.* Proposed Casino Rulemaking: Monitoring Control Systems and Validation (9 NYCRR Part 5317)**

The Commission considered proposing rules for gaming facility monitoring and control systems and validation.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

m. Proposed Casino Rulemaking: Slot Tournaments and Progressive Gaming Devices (9 NYCRR Part 5320)

The Commission considered proposing rules for slot tournaments and progressive gaming devices.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

n. Proposed Casino Rulemaking: Standards for Gaming Devices (9 NYCRR Part 5319)

The Commission considered proposing rules for gaming facility gaming devices.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

o. Proposed Casino Rulemaking: Table Game Rules (9 NYCRR Part 5324)

The Commission considered proposing rules for casino table games.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

p. Proposed Racing Rulemaking: Jockey Advertising Rules

The Commission considered proposing revisions to the rules concerning advertising and promotional materials on jockeys in Thoroughbred racing.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

5. Adjudications

a. In the Matter of Joseph Carrubba

The Commission, having considered this matter at a meeting conducted pursuant to the judicial or quasi-judicial proceedings exemption of N.Y. Public Officers Law § 108.1, announced that it had agreed, on a 4-0 vote, to accept the Hearing Officer's recommendation that Mr. Carrubba's license be suspended for 10 years.

b. In the Matter of Market Strength

The Commission, having considered this matter at a meeting conducted pursuant to the judicial or quasi-judicial proceedings exemption of N.Y. Public Officers Law § 108.1, announced that it had agreed, on a 3-1 vote, Commissioner Moschetti voting in the negative,

to reverse a decision of the stewards and order a new disposition of the horse Market Strength by lot.

6. Consideration of Gaming Facility Licensing

a. Tioga Downs Racetrack, LLC dba Tioga Downs Casino, Racing and Entertainment

(1) The Commission considered finding Tioga Downs Racetrack, LLC dba Tioga Downs Casino, Racing and Entertainment suitable for gaming facility licensing per standards contained with sections 1317 and 1318 of the N.Y.S. Racing, Pari-Mutuel Wagering and Breeding Law.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

(2) The Commission considered finding the application, as amended, submitted Tioga Downs Racetrack, LLC dba Tioga Downs Casino, Racing and Entertainment as meeting the minimum licensing thresholds set forth in section 1316 of the N.Y.S. Racing, Pari-Mutuel Wagering and Breeding Law.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

(3) The Commission considered executing the Gaming Facility License Award for Tioga Downs Racetrack, LLC dba Tioga Downs Casino, Racing and Entertainment pursuant to section 1311 of the N.Y.S. Racing, Pari-Mutuel Wagering and Breeding Law.

ON A MOTION BY: Commissioner Sample
APPROVED: 4-0

7. Old Business/New Business

a. Old Business

No old business was offered for discussion.

b. New Business

At the request of Commissioner Moschetti, Acting Director of the Office of Interactive Fantasy Sports Regulation Bradley Fischer outlined the process regarding staff review and consideration of applications for Interactive Fantasy Sports temporary registration.

8. Scheduling of Next Meeting

It was announced that the next meeting date would be September 26, 2016.

8. Adjournment

The meeting was adjourned at 3:45 p.m.

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