

**New York State Gaming Commission Minutes
Meeting of May 17, 2021**

A meeting of the Commission was conducted by teleconference.

1. Call to Order and Establishment of Quorum

Executive Director Robert Williams called the meeting to order at 1:05 p.m. Establishment of a quorum was noted by Acting Secretary Kristen Buckley. In attendance were Chairman Barry Sample and Commissioners John Crotty, Peter Moschetti, John Poklemba, and Jerry Skurnik. The meeting was conducted in conformity with Governor Andrew M. Cuomo's Executive Order 202.1, as extended by Executive Order 202.107. The audio components of the meeting were recorded for transcription, as required.

2. Consideration of Minutes for Meeting of March 15, 2021

The Commission considered previously circulated draft minutes of the meeting conducted on March 15, 2021. The minutes were accepted as circulated.

3. Rulemaking

a. SGC-09-21-00011-P, Restrictions on Clenbuterol Use in Thoroughbred Racing

The Commission considered adoption of a rulemaking regarding methodology for the acceptable use of clenbuterol in thoroughbred racing.

ON A MOTION BY: Commissioner Moschetti
APPROVED: 5-0

b. SGC-09-21-00012-P, Thresholds for Controlled Therapeutic Medications in Horse Racing

The Commission considered adoption of a rulemaking to conform Commission rules on thresholds for controlled therapeutic medications to national model rule amendments made by the Association of Racing Commissioners International, Inc.

ON A MOTION BY: Commissioner Crotty
APPROVED: 5-0

c. SGC-09-21-00013-P, Casino Table Game Rules

The Commission considered adoption of a rule making several changes to the casino table games regulations to improve operations and conform with industry standards.

ON A MOTION BY: Commissioner Moschetti
APPROVED: 5-0

d. SGC-09-21-00014-P, Lasix Administrations on Race Day

The Commission considered adoption of rules to formalize the practice that race-day furosemide administration be provided by independent, third-party veterinarians who are not caring for the horses of a trainer or owner who participates at the race meeting.

ON A MOTION BY: Commissioner Moschetti
APPROVED: 5-0

e. SGC-09-21-00015-P, Regulation of Bingo

The Commission considered adoption of rule change to update various charitable gaming regulations regarding prize limits and advertising.

ON A MOTION BY: Commissioner Moschetti
APPROVED: 5-0

4. Adjudications

a. In the Matter of Linda Rice

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 determined upon a 5-0 vote to modify the Hearing Officer's findings of fact, conclusions of law and recommendation of license revocation. The Commission modified the material to specifically reflect that the Hearing Officer found multiple violations, which under N.Y. Racing, Pari-Mutuel Wagering and Breeding Law § 116 allows for a penalty of up to \$25,000 per violation. The Commission unanimously determined a fine of \$50,000 to be appropriate for these multiple violations.

5. Decision

a. In the Matter of Claim of Noble Thought

The Commission announced a decision in an appeal regarding the actions of the Aqueduct Racetrack stewards. The stewards had declined to order a redraw following a voided claim regarding the horse *Noble Thought*. An aggrieved potential claimant sought the conduct of a new draw. Following a hearing, a new draw was ordered. Reasonable costs for the custody and care of *Noble Thought* during the time the horse spent outside custody of the new owner were also ordered.

6. New/Old Business

a. Old Business

No old business was presented.

b. New Business

No new business was presented.

7. Adjournment

Chairman Sample declared the meeting adjourned at 1:32 p.m.

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