

**NEW YORK STATE
GAMING COMMISSION MEETING**

MINUTES

MEETING of NOVEMBER 23, 2015

NEW YORK, NEW YORK

A meeting of the N.Y.S. Gaming Commission was conducted in New York, New York.

1. Call to Order

The meeting was called to order at 1:14 p.m. by Executive Director Robert Williams. Establishment of a quorum was noted by Acting Secretary Kristen Buckley. In attendance were Commissioners John Crotty, Peter Moschetti, John Poklemba, Barry Sample and Todd Snyder. Commissioner Snyder was unanimously elected as presiding officer for the meeting.

2. Consideration of the Minutes from October 26, 2015

The Commission considered previously circulated draft minutes of the meeting conducted on October 26, 2015. Commissioner Snyder noted a typographical error, which was corrected. The minutes were then accepted as amended.

3. Report of Executive Director

Executive Director Robert Williams discussed the casino licensing timeline and process, daily fantasy sports, an EKG initiative by the Office of the Equine Medical Director and proceedings at recent meetings of the Harry M. Zweig Memorial Fund for Equine Research, MWB/E outreach events and the Responsible Play Partnership.

4. Rulemaking

a. Adoption: SGC-40-15-00003-P, Preference in Harness Racing (9 NYCRR § 4108.8)

The Commission considered adoption of a proposed regulation that conforms existing regulations regarding New York-bred horses preference date requirements to legislation enacted.

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

5. Adjudications

- a. **In the Matter of Jose Lezcano.** 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that it had agreed, on a 5-0 vote, to accept the Hearing Officer's recommendation that the finding of violation be rescinded and that the fine imposed be exonerated.
- b. **In the Matter of John Velasquez.** 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 5-0 vote, to accept the Hearing Officer's recommendation that the finding of a violation be sustained and that the fine imposed remain in effect.

6. Old Business/New Business

- a. **Old Business.** Commissioner Crotty inquired as to the status of Lasix information previously sought. Mr. Williams advised that research remains pending.
- b. **New Business.**
 - (1) **Use of Whip Research.** Commissioner Snyder requested that staff prepare a memorandum on differing regulatory approaches to the use of a whip in thoroughbred racing and recommend changes, if warranted.
 - (2) **Staff Report.** Mr. Williams presented the Staff Report in Regard to Allegations Advanced by the People for the Ethical Treatment of Animals in Regard to the Practices of KDE Equine, LLC *et al.* The Commission accepted the report for consideration, authorizing staff to release the included regulatory proposals for pre-proposal rule review and industry comment.

7. Scheduling of Next Meeting

No date for the next regular meeting was announced.

8. Adjournment

The meeting was adjourned at 1:36 p.m.

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