

Rob Williams: The New York State Racing Peri-Mutuel Wagering and Breeding Law Section 102 provides that the New York State Gaming Commission shall consist of seven members appointed by the governor by and with the advice and consent of the senate. Four members confirmed by the New York State Senate are necessary to afford the commission and ability to establish a forum and undertake action. This present meeting of the commission is now called to order.

This meeting is being conducted in conformity with New York Governor Andrew M Cuomo's executive order 202.1 which is entitled Continuing Temporary Suspension and Modification of Laws Relating to the Disaster of Urgency. The order suspended fortunes of the Open Meetings Law and specifically and specifically allowed the conduct of meetings by telephone or other similar service. The governor's executive order and relevant part reads Article VII of the Public Officer's Law to the extent necessary to prevent any public body to meet and take such actions authorized by the law without permitting a public in person access to meetings and authorizing such meetings to be held remotely by conference call or other similar service. Provided that the public has an ability to view or listen to such proceeding. And that such meetings are recorded and later transcribed.

By executive order 202.48, Governor Cuomo extended the authority of order 202.1 through August 5th, 2020. Accordingly, this commission meeting is being conducted in conformance with such allowance and we are recording today's meeting for transcription as required. Miss Secretary will you please call the roll?

Secretary: John Crotty?

John Crotty: Here.

Secretary: Peter Moschetti?

Peter Moschetti: Here.

Secretary: John Poklemba?

John Poklemba: Here.

Secretary: Barry Sample?

Barry Sample: Here.

Secretary: Jerry Skurnik?

Jerry Skurnik: Here.

Rob Williams: Miss Secretary please have the record reflect that a form of qualified members are present thus enabling transaction of business. Chairman Sample has requested that Commissioner Moschetti preside over today's meeting. Unless there's an objection, Commissioner Moschetti?

Peter Moschetti: First item is consideration of minutes for meeting of May 19th, 2020. The minutes of the commission being conducted on that date has been provided to the members in advance. At this time I'd like to ask members if there are any edits, corrections, or amendments? Hearing none. Miss Secretary please let the record reflect the minutes were accepted.

The next item is rule making. New York State Racing Pari-Mutuel Wagering and Breeding Law Section 104.19 authorizes the commission to propagate rules and regulations that it deems necessary to carry out its responsibilities. As a result, the commission will, from time to time, propagate rules and rule amendments pursuant to the State Administrative Procedure Act. Today we have four rules for adoption. If Rob Williams would outline those items for us please?

Rob Williams: Certainly. So last meeting the commission considered and adopted in emergency and approved a consensus rule making to extend the days upon which a harness horse must qualify from 30 days to a day that's to be determined appropriate by the commission. The purpose for the rule is to reduce the density, gathering of owners, trainers, drivers, and associated personnel seeking to properly requalify their horse by extending the days after which a harness horse must qualify.

A public commentary as to the proposed consensus rule making has not yet expired while the emergency rule making is scheduled to expire on August 17th prior to the commissions next anticipated meeting date. Accordingly, staff recommends that the commission readopt the emergency rule making to ensure the continuity of the rule through the time at which the commission may consider permanent adoption of the proposed consensus rule.

Peter Moschetti: Commissioners is there any questions on the readoption of an emergency rule making to allow the time extension for qualification standards in harness racing? Hearing none may I have a motion to readopt this rule.

Unidentified Male: So moved.

Unidentified Male: Second.

Unidentified Male: Second.

Peter Moschetti: Discussion on the motion. Hearing none, all in favor? Opposed? The motion carries. Next item.

Rob Williams: For commission consideration is a proposed rule making to add a feature called money dots to the existing quickdraw game. In the standard quickdraw game, a patron may choose to play between one and ten spots or numbers per game. A draw of 20 numbers is made from a field of 80 with players winning prizes depending upon how many of their chosen numbers match the 20 winning numbers drawn. The money dots feature allows a patron to make a one dollar wager and to receive a money dot ticket containing eight random numbers from one to 80. While this wager is independent of any wager on the base quickdraw game, it runs alongside the base game.

After the 20 winning quickdraw numbers are revealed, the remaining 60 numbers are assigned a color and corresponding prize value. Following assignment, one randomly selected money dot number will be selected and any player whose money dot ticket contains the selected money dot's number, wins the corresponding prize amount. The division of the lottery believes that the addition of this feature would increase player interest in quickdraw game, attract new players, and increase revenue to benefit state education.

The proposal also includes reorganization of the quickdraw rule, other technical and stylistic revisions are proposed as well. Staff recommends that the commission authorize the proposal of this rule making.

Peter Moschetti: Do the Commissioners have any questions on the proposal of a rule regarding a quickdraw money dots wager? Hearing none may I have a motion to propose this rule?

Unidentified Male: So moved.

Unidentified Male: Second.

Unidentified Male: Second.

Unidentified Male: Second.

Peter Moschetti: Any discussion on the motion? Hearing none, all in favor?

Unidentified Male: I.

Peter Moschetti: Any opposed? The motion carries. Next item please.

Rob Williams: For commission consideration is a proposed rule making to conform to the requirement of the New York Public Officer's Law Section 874A which directs state agencies to propagate rules to prescribe the way the agency will safeguard against any unauthorized access to records containing trade secrets that are submitted.

The proposal also conforms with time to determine records access appeals within the agency to the time prescribed by the statute. Allows for the delivery of appeals decisions by electronic mail and adds cross references to statutory requirements. Staff recommends that the commission authorize the proposal of this rule making.

Peter Moschetti: Any questions on the proposal of rule pertaining to protection of trade secrets and records access? Hearing none may I have a motion to propose this rule?

Unidentified Male: So moved.

Unidentified Male: Second.

Unidentified Male: Second.

Peter Moschetti: Is there any discussion on the motion? Hearing none all in favor?

Unidentified Male: I.

Unidentified Male: I.

Unidentified Male: I.

Peter Moschetti: Any opposed? The motion carries. Next item.

Rob Williams: For Commission consideration a proposed rule authorizing the inclusion of instant tickets to both existing lottery courier regulations. Recall that the lottery courier regulations previously advanced and adopted to not include the allowance and instant tickets. Since the initial adoption of the commission regulations, several states have followed and approved the operation of courier sales including instant tickets. The proposed rule changes are designed to fit within and along the existing courier regulation.

Peter Moschetti: Are there any questions to the proposal of a rule to allow lottery couriers to offer instant tickets? Hearing no questions may I have a motion to propose this rule? Anyone?

Unidentified Male: So moved.

Peter Moschetti: Second?

Unidentified Male: Second.

Unidentified Male: Second.

Peter Moschetti: Any discussion on the motion? Hearing none, all in favor?

Unidentified Male: I.

Unidentified Male: I.

Unidentified Male: I.

Peter Moschetti: The motion carries. Everybody alright out there? You guys okay?

Unidentified Male: Well as you recall Peter we had talked about this one for a while right?

Peter Moschetti: Yes.

Unidentified Male: It was not our favorite. I mean I have some thoughts about how it relates but they seem to have been answered when we first contemplated the rule right?

Peter Moschetti: Right.

Unidentified Male: And so this is not and you know, under current circumstances one could think about it some more but.

Peter Moschetti: Well it's a proposal too so we'll have another chance to revisit it.

Unidentified Male: Hopefully in better circumstances.

Peter Moschetti: Yes absolutely. So anything else? We can move to the next item of schedule business regards adjudication. Today we have one item for adjudication. Rob if you could handle that.

Rob Williams: Certainly on January 23rd, 2020 the Bureau of Licensing issued a notice of license suspension and ordered the immediate temporary suspension of the lottery sales, agent license of RNV Deli Grocery Inc which is located at 9619 Linden Boulevard in Ozone Park Queens. The notice informed RNV that the suspension was for fraud, deceit, misrepresentation or conduct prejudicial to public confidence in the state lottery. Specifically the notice indicated that the New York State Department of Taxation and Finance has suspended RNV's license to sell cigarettes at retail for six months beginning December 17th, 2019. Having found the license he possessed unlawfully stamped packages of cigarettes. The commission suspended the licensee for violations of lottery rules or sales agreement and under general character and fitness.

RNV requested a hearing which was conducted on April 16th, 2020. The hearing officer submitted a report to the commission on May 7th recommending that the license be suspended until July 17th, 2020. The commission considered this matter at a meeting conducted pursuant to the judicial or quasi-judicial proceedings exemption of New York Public Officers Law Section 108.1.

Peter Moschetti: The Commission duly deliberated and considered this matter and determined upon a vote of five to nothing to sustain the hearing officer's report and recommendations.

So the next item is old business or new business versus old business. At a previous meeting we had started some discussion regarding the use of the crop. During the middle of the week, staff circulated a lengthy memorandum outlining the various national and regional changes and deliberations relative to the use of the crop. Given the volume of the material circulated and I think it's a rather important issue, perhaps it's best to defer such discussion until the August meeting when we can get into the meat of the memorandum. In the interim, should anybody have any questions arising which are unanswered by the memorandum, members should directly contact Mr. Williams or our office.

Now does anyone have any other old business? Hearing nothing we'll go to new business. Does anyone have any new business to consider?

Unidentified Male: Hold on. The only thing I wanted to mention is the new racings booked for two year olds is out. Have they run any of those races?

Peter Moschetti: They have.

Unidentified Male: And?

Peter Moschetti: Could you rephrase your question?

Unidentified Male: Well how many have they run? What have been the results? How many horses have entered? Times are the times different than the other races that they've run for two year olds?

Peter Moschetti: We can certainly get that information for you. We don't have it presently available. There has been no experiences of access during the races that have been conducted. But we will get that information.

Unidentified Male: I mean that's something pretty controversial on some level and impact of the result.

Peter Moschetti: We'll get you the information.

Unidentified Male: Okay cool thanks.

Peter Moschetti: Anybody else? Alright I think we're ready to adjourn. That concludes today's public agenda. Do any commissioners have items they'd like to present for consideration before we adjourn? Alright so the commission traditionally has met on the fourth Monday of each month which for August would be the 24th. For planning purposes please advise Secretary Buckley as to your

availability. That was rather succinct. Anything else gentlemen before we adjourn? I guess we are in adjournment then.

Unidentified Male: Well done Mr. Chairman.