

New York State Gaming Commission

Minutes

Meeting of December 10, 2018

A meeting of the Commission was conducted in New York, New York.

1. Call to Order and Establishment of Quorum

Acting Executive Director Ronald Ochrym called the meeting to order at 1:35 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.

2. Consideration of Minutes for Meeting of September 24, 2018

The Commission considered previously circulated draft minutes of the meeting conducted on September 24, 2018. The minutes were accepted as circulated.

3. Report of the Acting Executive Director

Director Ochrym provided a report regarding the new Lottery studio, a New York Powerball winner and the annual gift responsibly campaign. Ochrym also discussed two court cases and extended condolences to the family and friends of thoroughbred trainer Rick Violette Jr. and former Racing and Wagering Board Chairman William Barry.

4. Rulemaking

a. **ADOPTION: Heads Up Hold'em Poker, SGC-38-18-00002-P**

The Commission considered an adoption of a proposed rulemaking to add a Poker table game called Heads Up Hold'em to the rules for commercial casino.

ON A MOTION BY: Commissioner Crotty

APPROVED: 5-0

b. **ADOPTION: Amendment of Multiple Medication Violation Penalty Enhancement Rule, SGC-40-18-00006-P**

The Commission deferred consideration of the adoption of a proposed rulemaking for Multiple Medication Violation Penalty Enhancement Rule.

c. ADOPTION: Permit Greater Purse-to-Price Ratio in Thoroughbred Claiming Races, SGC-42-18-00015-P

The Commission considered an adoption of a proposed rulemaking to add flexibility to the Thoroughbred claiming-price rule in appropriate circumstances.

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

d. REVISED PROPOSED: Commercial Casino Fees and Payments, SGC-38-18-00003-P

The Commission considered a revised proposed rulemaking for gaming facility fees and payments.

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

e. PROPOSED: Use of Social Security Numbers

The Commission considered amendments to rules relating to the provision of social security numbers.

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

f. PROPOSED: Spanish 21 Table Game

The Commission considered a proposal to add an optional wager to and amend a pay table for the Spanish 21 table game.

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

g. PROPOSED: Backstretch Worker Housing at Thoroughbred Tracks

The Commission considered a proposed regulation to set forth standards for housing maintained on the grounds of certain racetracks.

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

h. PROPOSED: Helmets and Safety Vests at Thoroughbred Tracks

The Commission considered a proposal to update the requirements for helmets and safety vests worn by persons on horseback on the grounds of Thoroughbred racetracks.

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

5. Adjudications

a. In the Matter of Puff N Stuff Hicksville, Inc.

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 sustain the Hearing Officer's Report and Recommendation that the entity's license be revoked and that the period from the date of suspension to the Commission's final determination be the term of license suspension.

b. In the Matter of Javier Castellano

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 sustain the Hearing Officer's Report and Recommendation be upheld and Mr. Castellano pay the \$2,000 fine that had been levied by State Steward.

6. Old Business/New Business

a. Old Business

No old business was offered for discussion.

b. New Business

No new business was offered for discussion.

7. Scheduling of Next Meeting

The Commission tentatively set January 28th as the date for the next meeting.

8. Adjournment

The meeting was adjourned at 1:53 p.m.

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