

NEW YORK STATE  
GAMING COMMISSION

MINUTES

MEETING of JANUARY 23, 2017

NEW YORK, NEW YORK

A meeting of the Commission was conducted in New York, New York. A video-conference location was also maintained in Schenectady, New York.

**1. Call to Order**

Executive Director Robert Williams called the meeting to order at 12:38 p.m. Establishment of a quorum was noted by Acting Secretary Kristen Buckley. In attendance in New York were Commissioners Peter Moschetti, John Poklemba and Barry Sample. Commissioner Moschetti was unanimously elected as presiding officer for the meeting.

**2. Consideration of the Minutes from December 13, 2016**

The Commission considered previously circulated draft minutes of the meeting conducted on December 13, 2016. The minutes were accepted as circulated.

**3. Report of the Executive Director**

Executive Director Williams provided a brief report on the status of the various commercial casino development projects, discussed a few elements of the Commission's responsible horse aftercare initiative and introduced the final version of the video that will be required viewing for certain applicants and applicant renewals seeking a racing license.

**4. Rulemaking**

**a. ADOPTION: SGC-45-16-00002-P, Permit Jockeys to Wear Trade Logos and Own Name on Jockey Clothing**

The Commission considered adoption of a rule regarding advertising and promotional materials on jockeys in Thoroughbred racing.

ON A MOTION BY: Commissioner Poklemba  
APPROVED: 3-0

**b. ADOPTION: SGC-47-16-00002-P, Bonding of Video Lottery Agents to Prevent Potential Loss of State Revenue Earned from Video Lottery Gaming**

The Commission considered adoption of a rule regarding the bonding of video lottery agents.

ON A MOTION BY: Commissioner Sample  
APPROVED: 3-0

**c. ADOPTION: SGC-47-16-00017-P, Expands the Conflict of Interest Restrictions on Racing Secretaries and Their Assistants and Substitutes**

The Commission considered adoption of regulations regarding conflicts of interest restrictions for Standardbred racing secretaries and assistant race secretaries.

ON A MOTION BY: Commissioner Sample  
APPROVED: 3-0

**d. PROPOSED THOROUGHBRED RULEMAKING: Exercise-Induced Pulmonary Hemorrhage (EIPH)**

The Commission considered proposal of regulations that would strengthen regulations related to exercise-induced pulmonary hemorrhage in thoroughbred racing.

ON A MOTION BY: Commissioner Poklemba  
APPROVED: 3-0

**e. PROPOSAL: THOROUGHBRED RULEMAKING: Minimum Penalty Enhancement**

The Commission considered proposal of regulations intended to conform New York's existing rules regarding minimum penalty enhancement to recent changes in the national model rules.

ON A MOTION BY: Commissioner Sample  
APPROVED: 3-0

**f. PROPOSED THOROUGHBRED RULEMAKING: Out-of-Competition Testing**

The Commission considered proposal of regulations intended to conform New York's existing rules regarding Thoroughbred out-of-competition sample collection to recent changes in the national model rules.

ON A MOTION BY: Commissioner Poklemba  
APPROVED: 3-0

**g. PROPOSED THOROUGHBRED RULEMAKING: Prohibited Substances**

The Commission considered proposal of regulations to prohibit in Thoroughbred horse racing the substances that the World Anti-Doping Agency prohibits at all times unless an athlete has a restricted therapeutic use exemption, based on restricted therapeutic uses that are appropriate for horse racing; to require that no drug may be administered to a horse engaged in horse racing activities unless recommended by an attending veterinarian; and to prohibit the experimental use of performance altering substances on racehorses.

ON A MOTION BY: Commissioner Poklemba  
APPROVED: 3-0

**h. PROPOSED THOROUGHBRED RULEMAKING: Trainer Medication Log**

The Commission considered proposal of regulations that requires Thoroughbred trainers to keep a record of medications administered by the trainer after having been dispensed by veterinarians.

ON A MOTION BY: Commissioner Sample  
APPROVED: 3-0

**5. Adjudications**

**a. In the Matter of MIKE A. GONZALEZ**

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 3-0 vote, to accept the Hearing Officer's recommendation that the license be revoked, but increased the time period until Mr.

Gonzalez could re-apply for a license from three years to ten years. The Commission also imposed a fine of \$25,000.

**6. New Business/Old 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**

No specific date for the next Commission meeting was set, although Commissioners were requested to check on availability for February 27th.

**8. Adjournment**

The meeting was adjourned at 1:30 p.m.

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