

**New York State Gaming Commission Minutes
Meeting of November 8, 2021**

A meeting of the Commission was conducted in conformity with Part E of Chapter 417 of the Laws of 2021. The meeting was conducted by conference call, provided the public to listen and such meeting was recorded and will be transcribed.

1. Call to Order and Establishment of Quorum

Executive Director Robert Williams called the meeting to order at 2:22 p.m. Establishment of a quorum was noted by Acting Secretary Kristen Buckley. In attendance were Chairman Barry Sample, and Members John Crotty, Peter Moschetti, John Poklemba, Christopher Riano and Jerry Skurnik. At the request of Chairman Sample, Commissioner Moschetti acted as Presiding Officer.

2. Consideration of Minutes for Meeting of August 16, 2021

The Commission considered previously circulated draft minutes of the meeting conducted on August 16, 2021. The minutes were accepted as circulated.

3. Mobile Sports Wagering Consideration of License Recommendation

The Commission considered acceptance of the Report of the Evaluation Committee established for the purposes of evaluating bids submitted pursuant to the N.Y.S. Gaming Commission Request For Applications For Mobile Sports Wagering Platform Providers and accepted the advancement for licensure at a tax rate of 51 percent for a term of 10 years for:

- Sports Information Services Limited dba Kambi, with Operators American Wagering, Inc. dba Caesars Sportsbook; Empire Resorts, Inc. dba Resorts World; PointsBet New York LLC dba PointsBet; Rush Street Interactive NY, LLC dba Rush Street Interactive; and WSI US, LLC dba WynnBET; and

- Betfair Interactive US LLC dba FanDuel Sportsbook with Operators Bally's Interactive, LLC dba Bally Bet; BetMGM, LLC; and DraftKings as Operators was in the best interests of the State.

ON A MOTION BY: Commissioner Sample
APPROVED: 6-0

4. Rulemaking

a. Adoption: No. SGC- 35-21-00010-P, Mobile Sports Wagering and Sports Wagering at Gaming Facilities

The Commission considered adoption of regulations to govern mobile sports wagering and related amendments to the regulations governing in-person sports wagering at the four licensed commercial casinos.

ON A MOTION BY: Commissioner Sample
APPROVED: 6-0

b. Adoption: SGC-29-21-00010-P, Amendment of Video Lottery Gaming Regulations

The Commission considered adoption of video lottery gaming regulations reflecting historic amendments to N.Y. Tax Law § 1612.

ON A MOTION BY: Commissioner Sample
APPROVED: 6-0

c. Proposed Rulemaking: Charitable Gaming Raffle Rule Update

The Commission considered a proposed rulemaking to authorize organizations to sell raffle tickets through internet or mobile device platforms, subject to prescribed Commission regulation.

ON A MOTION BY: Commissioner Riaño
APPROVED: 6-0

5. Consideration of Gaming Facility License Amendment: CAPITAL REGION GAMING, LLC doing business as Rivers Casino & Resort Schenectady

For Commission consideration was an amendment request of CAPITAL REGION GAMING, LLC doing business as Rivers Casino & Resort Schenectady to reduce the number of operational slot assets below the minimum detailed within Exhibit 1 of their Gaming Facility License and corresponding Operator's Certificate.

ON A MOTION BY: Commissioner Sample
APPROVED: 6-0

6. New/Old Business

a. **In the Matter of the Denial of Entries of Seven Horses at The Saratoga Race Course**

A decision in appeal of the Saratoga Race Course Stewards' denial of entry of certain horses prior to the expiration of a public health quarantine period was announced. Following consideration of submissions, it was determined that a requested declaratory judgment was not available as the time to enter the horses in the desired races had passed and that there was no longer an existing controversy. Additionally, a requested remedy of ordering creation of a protocol or rule for the future was found to be beyond the scope of the appeal.

b. **Veto Message 49, 2021**

The Commission instructed staff to review Governor Kathy Hochul's Veto Message 49, which tasked the Commission to review the existing jockey coupling rule and seek input from racing constituencies to assess the continued need for mandatory coupling and the circumstances under which such a requirement might be relaxed. Staff were ordered to report back a recommendation or a pathway to addressing the Governor's concerns.

c. **Passing of Betty Pearson**

The Commission marked the passing of Betty Pearson, an Office Assistant in the Lottery's Syracuse Customer Service Center.

7. Adjournment

Presiding Officer Moschetti declared the meeting adjourned at 3:15 p.m.

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