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00:00:00:00

00:00:06:18 Shall we commence?

00:00:08:02 Sure.

00:00:09:03 The New York State Racing, Pari-Mutuel Wagering and

00:00:10:27 Breeding Law, section 102, provides that the New York State

00:00:14:19 Gaming Commission shall consist of seven members, appointed

by

00:00:17:24 the Governor, by and with the advice and consent of the

00:00:20:20 Senate.

00:00:21:23 Five members have been confirmed by the New York State

Senate,

00:00:24:28 thus affording the Commission an ability to establish quorum

and

00:00:28:01 undertake action.

00:00:29:21 This present meeting of the Commission is now called to

00:00:32:01 order.

00:00:33:11 Establishment of a quorum requires four members being

00:00:37:17 present.

00:00:39:03 Please indicate when your name is called--your presence when

00:00:42:05 your name is called.

00:00:43:00 John Crotty?

00:00:44:02 Here.

00:00:45:04 Mark Gearan?

00:00:46:10 Present.

00:00:48:11 John Poklemba?

00:00:49:22 Here.

00:00:51:03 Barry Sample?

00:00:52:05 Here.

00:00:53:09 Todd Snyder?

00:00:55:12 Mr. Snyder is not in attendance today.

00:00:58:13 The record will reflect that a quorum of qualified members is

00:01:00:28 present, thus enabling transaction of business.

00:01:05:01 Further for the--I'm sorry, let me skip off here.

00:01:08:10 We're joined today by Mr. Crotty who wasn't certain he was

going

00:01:11:24 to be here today.

00:01:16:06 So for the purposes, we are capable of conducting business,

00:01:19:22 Mr. Chairman.

00:01:21:21 Great.

00:01:22:13 Thank you.

00:01:23:07 Thank you, Rob.

00:01:24:17 Good afternoon, everyone.

00:01:28:23 Continuing along with our agenda here, New York State Racing,

00:01:32:08 Pari-Mutuel Wagering and Breeding Law, section 104.19,

00:01:36:15 authorizes the Commission to promulgate rules and regulations

00:01:40:09 that it deems necessary to carry out its responsibilities.

00:01:44:12 In that regard, the Commission will, from time to time,

00:01:46:24 promulgate rules and rule amendments pursuant to the State

00:01:50:18 Administrative Procedure Act.

00:01:54:00 Today's meeting has a singular purpose: to adopt regulations

00:01:59:06 and documents necessary to permit the Gaming Facility

00:02:02:06 Location Board to release the Commercial Casino Gaming Request
00:02:06:17 for Applications.
00:02:08:12 Let me ask Rob Williams to call forth the first item.
00:02:16:02 For the Commission's consideration is a proposed
00:02:17:28 emergency rule-making prescribing the forms for the
00:02:20:17 Request for Applications to Develop and Operate a Gaming
00:02:24:27 Facility more commonly referred to as the RFA and for forms
for
00:02:30:10 Applications for Gaming Facility Licenses.
00:02:34:08 Racing, Pari-Mutuel Wagering and Breeding Law, section
1307.2,
00:02:39:01 requires the Commission to prescribe various application
00:02:42:05 forms in its regulations.
00:02:46:20 Emergency rule-making is necessary to allow the Gaming
00:02:49:07 Facility Location Board to issue the RFA.
00:02:52:18 Under the proposal, a new part is established exclusively for
00:02:55:28 gaming facility applications.
00:02:58:08 These new rules will include provisions for the Application
00:03:02:11 to Develop and Operate a Gaming Facility, background
00:03:05:19 investigations of the applicant, fingerprinting of the
00:03:08:27 applicant's principals and officers, requiring the
00:03:12:17 applicants to update their applications throughout the
00:03:15:00 process and setting an application fee.
00:03:21:18 Sir.
00:03:24:11 Okay.
00:03:25:21 Thank you.
00:03:26:17 Thank you, Rob.
00:03:27:17 So I guess to the commissioners, any questions or discussion
00:03:32:11 regarding the regulations?
00:03:38:23 Mr. Williams has prepared those and they've been sent out
00:03:41:21 to the Commission.
00:03:43:07 Any questions or comments?
00:03:48:14 No.
00:03:49:18 As we've had a chance to review.
00:03:50:27 Mr. Williams had sent them to us last week and we have had an
00:03:56:25 opportunity to review them in detail.
00:04:00:23 We had a few questions that were answered by staff and we're
00:04:04:18 prepared to go forward--I'm prepared to go forward.
00:04:11:05 Right.
00:04:13:19 [inaudible]
00:04:15:19 I know from my conversations with Rob there have been those
00:04:19:08 questions over the course of this time.
00:04:23:15 So, well, may I have a motion then to adopt the emergency
00:04:26:06 rule-making?
00:04:28:20 I'll make the motion, Mr. Chairman.
00:04:30:24 Second.
00:04:32:25 Great.
00:04:33:26 The motion has been made and seconded.
00:04:35:22 Any discussion on the motion?
00:04:39:20 Great.
00:04:40:15 Hearing none.
00:04:41:19 All in favor, aye.
00:04:43:20 Aye.

00:04:44:23 Aye.
00:04:45:28 Opposed?
00:04:47:12 The motion carries.
00:04:49:23 And I take it, Rob, that Mr. Snyder is not on telephonically.
00:04:54:07 Is that correct?
00:04:55:24 No, he was hoping that he'd be able to do that but it really
00:04:58:08 depended upon timing of his transportation and whether his
00:05:02:23 meeting conflicted.
00:05:04:08 Apparently, they did conflict so he's unavailable.
00:05:07:03 Okay.
00:05:07:28 All right.
00:05:08:20 Very good.
00:05:10:24 Rob, do you want to call forth the final item, then?
00:05:14:14 Certainly.
00:05:15:15 As you're all aware, Commission staff has been working on the
00:05:18:18 skeleton of a Request for Application.
00:05:21:08 Since our last meeting, the Gaming Facility Location Board's
00:05:24:15 Gaming Advisory Services Consultant has been working with
00:05:28:03 staff to refine the statutory elements and develop the
00:05:30:27 non-discretionary elements of the RFA.
00:05:33:28 Since our last meeting, we have also worked with the Gaming
00:05:37:20 Facility Board's Gaming Advisory Services Consultant, the New
00:05:41:15 York State Police and various Commission employees to create
00:05:44:24 the documents necessary to advance the casino process.
00:05:48:20 Basically, four forms have been forwarded.
00:05:53:24 What we're looking at is the Request for Application, the RFA
00:05:57:21 form itself, and other forms related to the applicant; Gaming
00:06:03:09 Facility License Application form; a Multi-Jurisdictional
00:06:07:19 Personal History Disclosure form; and a New York
00:06:10:23 supplemental form to that Multi-Jurisdictional Personal
00:06:14:08 History Disclosure form.
00:06:16:09 The supplemental form includes questions that are relevant to
00:06:19:03 New York investigators that are not otherwise included in a
00:06:22:07 multi-jurisdictional form.
00:06:24:20 Those forms have also been sent in advance to the members of
the
00:06:27:27 Commission.
00:06:30:27 In that regard then, to the commissioners, any questions on
00:06:33:01 the forms?
00:06:36:22 Okay.
00:06:40:10 May I--I would entertain a motion then to adopt the forms.
00:06:48:09 So moved.
00:06:49:11 Second.
00:06:51:01 Great.
00:06:51:26 Any discussion?
00:06:52:23 Motion's been made and seconded.
00:06:54:07 Any discussion on the motion?
00:06:56:09 Okay.
00:06:57:05 All in favor, say "Aye."
00:06:58:02 Aye.
00:06:59:02 Aye.
00:07:00:26 Any opposed?
00:07:02:19 The motion carries.
00:07:04:24 Well, this is good important work and Rob and I, in our

00:07:12:25 conversations, I think it's important for the Commission and
00:07:16:13 on this--in this meeting to publicly indicate that for the
00:07:20:16 purposes of the RFA, the Commission is now in the
00:07:25:25 restricted period.
00:07:27:26 All individuals interested in discussion of the RFA or the
RFA
00:07:31:21 procedure should contact Gail Thorpe or Stacey Relation at
our
00:07:37:09 Contract Administrative Unit.
00:07:41:05 And I guess, to Rob or to Lee, their contact information I
00:07:47:09 would imagine is explicitly listed in the RFA and is easily
00:07:52:14 identifiable on our website.
00:07:55:12 Is that correct?
00:07:56:16 Yes, it will be clearly posted.
00:07:58:15 Yes, it'll be clearly posted on the website on the tab for
00:08:00:24 casino gambling or also Ron's put it on the front page as
well
00:08:02:14 of our website.
00:08:05:17 So in our interests in putting the information clearly
00:08:09:01 forward in transparency that will be clearly there.
00:08:12:21 Great.
00:08:15:08 [inaudible]
00:08:16:17 That--please?
00:08:17:15 Sir, is there a record of that then?
00:08:18:27 Of the--
00:08:20:10 People who contact the--
00:08:21:10 Yes, they will be making a record of contacts.
00:08:27:17 And all contacts that we receive, I'm assuming that's
00:08:30:06 where we direct them to?
00:08:31:20 That would be preferable.
00:08:33:09 Correct.
00:08:34:07 [inaudible]
00:08:36:20 Rob, anything else is to--for guidance in this restricted
00:08:42:07 period or anything to be noted, you know, in what I indicated
00:08:45:06 for this contact piece?
00:08:47:02 I think the most important element is we make sure that
00:08:49:24 people are aware if they approach you that you're not
00:08:53:07 going to talk about the contents of the RFA, you're not gonna
00:08:55:28 talk about applications, you're not gonna talk about process.
00:08:58:25 You'd prefer to move all of that to a singular source, Miss
00:09:05:05 Thorpe or her assistant, Stacey Relation, and that they will
00:09:08:21 then transmit any information that's necessary to clarify
with
00:09:14:01 any questions that you might receive but in other words using
00:09:16:28 the two individuals as a fulcrum for all contacts rather than
00:09:22:11 making any sort of contacts yourself.
00:09:24:20 Hm-mm.
00:09:25:26 And they are to ensure even information and consistent
00:09:28:20 information is distributed, I suspect?
00:09:31:15 Correct.
00:09:33:01 Okay.
00:09:34:02 Well, that, if there's no other discussion, concludes our
00:09:37:05 published agenda for today.

00:09:42:05 Do any of the commissioners have any additional items that they
00:09:45:01 would like to present for consideration or conversation?
00:09:50:27 No, sir.
00:09:51:24 One of the things I would mention, we--I mentioned this at
00:09:56:03 the last meeting.
00:09:57:03 I'm very grateful to Rob and Lee and the Commission staff
00:10:00:01 generally.
00:10:00:25 We have put together the public forum on problem gambling.
00:10:07:10 So that--there'll be notifications sent out.
00:10:10:21 I think it promises to be a very important discussion.
00:10:13:27 It's on Wednesday, April 9, in Albany.
00:10:16:16 So information will be forthcoming but I think this is
00:10:18:25 a very important step for us as we begin this process to
bring
00:10:23:27 in experts within New York State, outside of the state,
00:10:29:07 from academia, from advocacy groups, and for those treatment
00:10:33:18 providers and individuals in recovery, to really take the
00:10:37:09 kind of time that we need and must do at this stage to look
at
00:10:41:27 this issue.
00:10:43:06 And to make certain that as we commence this process, the
00:10:47:20 issue, some of the realities in what we can be doing about
00:10:50:23 problem gambling are putting forth.
00:10:52:26 Anything else on that, Rob or Lee, that we wanted to make
sure
00:10:57:28 the Commission was probably aware of?
00:11:02:08 Yes, the date's gonna be April 9 at 10 a.m.
00:11:06:03 and, like you said, I think we imagine it's gonna run the
full
00:11:08:18 day.
00:11:09:20 And we will be holding that at the Empire State Plaza, in
00:11:12:12 one of the meeting rooms.
00:11:13:24 We are going to issue a meeting notice--I'm sorry, a hearing
00:11:17:15 notice on that very shortly.
00:11:20:20 We already have quite a number of individuals who have
00:11:23:00 responded who confirm their attendance and that is shaping
00:11:26:13 up to be what can be an extraordinarily useful activity.
00:11:31:08 Now, is OASAS gonna be there?
00:11:33:06 Yes, they are.
00:11:34:10 Okay.
00:11:35:08 The commissioner from OASAS will actually be sitting with
00:11:36:24 us.
00:11:37:27 Very good.
00:11:39:05 During that period.
00:11:40:13 I would say to the commissioners, I've worked with
00:11:42:24 Rob and Lee Park on this and I really do commend our agency
00:11:46:22 staff for their focus in bringing this together in
00:11:49:09 relatively short order.
00:11:50:18 But our initial agenda and what we're looking to is a really
00:11:54:08 dazzling group of expertise and advocacy folks and providers
to
00:12:00:16 really bring this conversation to the forefront so that we
can

00:12:03:22 identify best practices for casino operators and regulators
00:12:10:08 to implement those and address those challenges that we know
00:12:15:19 exist.
00:12:17:02 So I very much look forward to being in Albany on April 9 and
00:12:21:01 commend the Commission staff for their focus on this.
00:12:25:00 Okay, well, with that, any other items we need to go through
00:12:31:15 before the Commission?
00:12:34:07 Presuming none.
00:12:35:06 Well, then, I would suggest this meeting of the Commission is
00:12:39:20 adjourned.
00:12:40:15 And I thank you all for your attendance.
00:12:44:28 Thank you, Mr. Chairman.