

NewYorkStateGamingComission_11-27-2017

Director Ochrym: New York State Racing Pari-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 quorum and undertake action. This present meeting of the Commission is now called to order. Ms. Secretary, please call the roll.

Ms. Secretary: John Crotty?

John Crotty: Here.

Ms. Secretary: Peter Moschetti?

Peter Moschetti: Here.

Ms. Secretary: John Poklemba? Barry Sample?

Barry Sample: Here.

Ms. Secretary: Jerry Skurnik?

Jerry Skurnik: Here.

Ms. Secretary: Todd Snyder?

Todd Snyder: Here.

Director Ochrym: Ms. Secretary, please have the record reflect that a quorum of qualified members are present, thus enabling transaction of business. Chairman Sample.

Chairman Sample: Minutes of the Commission Meeting conducted on September 25, 2017 have been provided to members in advance. At this time, I'd like to ask if members have any edits, corrections or amendments. Seeing that there is none, do I have a motion to approve?

Unidentified Male: Approved.

Chairman Sample: Second?

Unidentified Male: Here-here.

Chairman Sample: All in favor?

Unidentified Males: Aye.

Chairman Sample: Great. Next on the agenda is the Executive Directors report.

Director Ochrym: Thank you Mr. Chairman. On November 17 I provided remarks at the New York Council on Problem Gambling's Annual Conference in Albany. Each year the New York Council on Problem Gambling seeks to bring together researchers, legislators, counselors and other problem gambling experts from all over the world to increase the knowledge of professionals and bring focus to this disorder. Let's focus on prevention, treatment, and recovery. This conference provides the versified training and is valuable for a variety of professions. Additionally, the Council on Problem Gambling seeks to provide a strong focus on increasing awareness that treatment will work and recovery is possible.

My comments sought to discuss the ongoing partnership of the Commission, the Office of Alcoholism and Substance Abuse Services, and the Council on Problem Gambling have entered into better known as Responsible Play Partnership to address problem gambling in New York State. Self-exclusion was a main topic of my comments and I reported that since the program, which was launched earlier this year, over 800 individuals have registered statewide. Of this self-exclude is statistically 59% are male 41% are female, 47% are age 50 or above, 10% are between ages 18 and 29, and 97% live in-state. Empire City Casino at Yonkers Raceway accounted for 192, or 24% of the individuals who self-excluded, followed by Resort World Casino New York City with 133 individuals, and River Schenectady with 122. A recap of our four public service announcements was also presented and included the video presentation of our latest public service announcement which debuted this past month, highlighting that help and hope is available for those who are facing addiction.

As for casino development, there are three commercial casinos up and running in New York. The fourth, Resort's World Catskills is proceeding on schedule. Construction on the outside of the building has almost come to fruition with mainly ancillary decorations left to complete. Slot machine deliveries have begun. There have been over ten trucks in the last week that have delivered games from various vendors. These slot machines are being stored on the main casino floor, with surveillance equipment monitoring the delivery, moving, and storage of the game. Cameras are being put up with many of the essential camera functioning with the surveillance room staffed at minimum levels. Dealer schools have begun and there are about 200 participants between the three different school locations. They are still on target to open early 2018.

- Chairman Sample: Any questions for Ron? Our next item on the agenda is rule making. New York State Racing Pari-Mutuel Wagering and Breeding Law authorizes the Commission to publicate rules and regulations that it deems necessary to carry out its responsibilities. To that regard, the Commission will form from time to time, publicate rules and rule amendments pursuant to the State Administrative Procedure Law. We have two items for consideration today. Ron, will you please outline the first item?
- Director Ochrym: Yes, for consideration, Commission consideration is the addition of a double game called Heads-Up Hold'Em. Heads-Up Hold'Em is an ultimate Texas Hold'Em variant based on Texas Hold'Em. And Heads-Up Hold'Em, if a player raise their bet one time and has three opportunities to do so. The earlier the player raises the more they can bet. The main difference between Heads-Up Hold'Em and open limit Texas Hold'Em are, in the former, the player may raise only three times their ante bet before the flop. But the game includes Bad Beat bonuses for losing with a straight or higher. This game has been authorized for play since rules were temporarily approved pursuant to Rule 5323.19. The Commissions Division of Gaming has evaluated the experience with this game and believes it's appropriate to add to the table game rules as a permanent rule. Staff recommends that the Commission authorize the proposal of this ruling.
- Chairman Sample: Are there any questions on the proposal of an amendment to add Heads-Up Hold'Em as a fully authorized game? No questions? May I have the motion?
- Unidentified Male: So note.
- Chairman Sample: Second?
- Unidentified Male: Second.
- Chairman Sample: Discuss the motion? All in favor?
- Group: Aye.
- Chairman Sample: Opposed? Motion carries. Rob will you please outline the second item?
- Director Ochrym: For Commission consideration are several proposed changes to the Casino Table Game Regulations to improve operations and conform with industry standard. The proposed change to Rule 5321.18 would allow the Local Area Progressive Controllers to be implemented to coordinate the payment of shared progressive

jackpot between two or more table games at the same facility, which may lead to other jurisdictions such as Connecticut, New Jersey, Pennsylvania, Maryland, Nevada, and Ohio permit. At present, a progressive jackpot is limited to within a single table game. The proposed change to rule 5322.2 would add additional chip denomination of \$2, \$25,000, and \$100,000. These changes would facilitate game play.

The proposed change to Rules 5324.10 and 5324.11 would clarify dealer options and patron wagering in a discreet wager offered in the game of Blackjack.

The proposed change to Rule 5324.12 would provide a non-generic optional wager of match the dealer and pay tables for the “Spanish 21” table game.

The proposed change to Rule 5324.20 would add eight tables for Baccarat game “Dragon Bonus Wager.”

The proposed change to Rule 5324.21(5) would, for Midi Baccarat require a table to have a form of a discard rack.

The proposed change to Rule 5324.21(b)(1)iv would clarify the rules for optional bonus wager and optional Dragon Bonus Wager for Midi and Mini Baccarat games.

Finally, the proposed changes to Rules 5300.1 and 5322.2 would move definitions for “non-value chip” and “value chip” to the general definition section, and a reference would be corrected in the proposed new Rule 5322.2(c)(2).

The staff recommends that the Commission authorize the proposal of this rule making.

Chairman Sample: Any questions on the proposal of various amendments to the existing commercial casino game table rules? No questions, may I have a motion?

Unidentified Male: So moved.

Chairman Sample: Second.

Unidentified Male: Second.

Chairman Sample: Any discussion on the motion? Then we’ll vote, all in favor?

Group: Aye.

Chairman Sample: Opposed? Motion carries. We have one adjudication for this morning/afternoon, wherever we are, afternoon. The next item of scheduled business regards adjudications. Today we have one item for adjudication. Ron.

Director Ochrym: On March 8, 2017, the Bureau of Licenses denied the application of Essence Mikel for a video lottery gaming non-key license for employment as a housekeeper at Suffolk Regional Off Track Better Corporations Video Lottery Gaming Facility. The denial side in Ms. Mikel's failure to disclose criminal history. Ms. Mikel requested a hearing which was scheduled for June 16, 2017. Ms. Mikel failed to appear at that hearing, and failed to appear on the adjourned date of September 14, 2017. The Hearing Officers submitted a report dated September 19, 2017. The Hearing Officer recommended that Ms. Mikel's request for a hearing be deemed withdrawn and that her application for licensure be denied. The Commission considered this matter at a meeting conducted pursuant to a judicial or quasi-judicial proceedings exemption of New York Public Offices Law Section 108.1.

Chairman Sample: The Commission duly deliberated and considered this matter and determined upon a vote of 5-0 to accept the Hearing Officers report and recommendations. The next item on the agenda is old business. Do we have any old business at all? Hearing none, move on to any new business? Hearing none, we'll move on to the scheduling of our next meeting which is – I don't – we had a debate on the date. Was it the 23rd, the 22nd, or the 18th. So Kristin will reach out to all of us on confirming a date to meet before the – hopefully before the end of the year.

That concludes today's published agenda's, does anybody have any other items? Hearing none -