



NEW YORK
STATE OF
OPPORTUNITY™

**Gaming
Commission**

February 23, 2015 Meeting Book



Meeting Agenda
February 23, 2015

1. Call to Order and Establishment of Quorum
2. Consideration of Minutes, Meeting of January 26, 2015
3. Report of Executive Director
4. Rulemaking
 - a. Proposed Electronic Transfer of Funds from Special Bell Jar Accounts
5. Adjudications
 - a. In the Matter of Edward Williams
6. New/Old Business
7. Scheduling of Next Meeting
8. Adjournment

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**NEW YORK STATE
GAMING COMMISSION MEETING**

MINUTES

MEETING of JANUARY 26, 2015

**GENEVA, NEW YORK
NEW YORK, NEW YORK**

A meeting of the N.Y.S. Gaming Commission was conducted in Geneva and New York, New York.

1. Call to Order

The meeting was called to order at 12:23 p.m. by Executive Director Robert Williams. Establishment of a quorum was noted by Acting Secretary Kristen Buckley. In physical attendance in New York were Commissioners Peter Moschetti, John Poklemba, Barry Sample and Todd Snyder. Chairman Mark Gearan was in physical attendance in Geneva. Bilateral oral and visual communications between both sites was maintained throughout the meeting.

2. Consideration of the Minutes from December 22, 2014

The Commission considered previously circulated draft minutes of the meeting conducted on December 22, 2014. Commissioner Snyder suggested one item be rewritten for clarity. The minutes were otherwise accepted as circulated.

3. Report of Executive Director

Executive Director Robert Williams provided an update on the recent actions of the Gaming Facility Location Board, equine deaths at Aqueduct Racetrack, Commission responsibilities regarding the selection of video gaming facility locations by Nassau and Suffolk Regional Off-Track Betting Corporations, and the establishment of three casino gambling rulemaking working groups.

4. Rulemaking

- a. **SGC-28-14-00006-E, Rules Pertaining to Gaming Facility Request for Application and Gaming Facility License Application (Re-Adoption)**

The Commission considered re-adoption of Rules Pertaining to Gaming Facility Request for Application and Gaming Facility License Application, with such re-adoption to be filed with the Department of State prior to the expiration of the current emergency rule.

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

b. Proposed Rulemaking: Thoroughbred Out-of-Competition Testing

The Commission considered a proposal of amendments to the thoroughbred out-of-competition testing rule.

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

5. Adjudications

a. In the Matter of Steven J. Kazmar

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 unanimously reject the Hearing Officer's Report and Recommendations on the basis that misrepresentations were made on the license application in violation of Commission rules.

b. In the Matter of Graham Lewis

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 unanimously sustained the Hearing Officer's Report and Recommendations.

6. New Business/Old Business

a. New Business

No action was taken on new business.

b. Old Business

No action on old business was taken.

7. Scheduling of Next Meeting

Chairman Gearan suggested that the Commission maintain the present schedule of meetings to be on the fourth Monday of every month, which would make the next meeting on February 23, 2015.

8. Adjournment

The meeting was adjourned at 12:57 p.m.

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Gaming Commission

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Mark D. Gearan, Chair
John A. Crotty, Commissioner
Peter J. Moschetti, Jr., Commissioner
John J. Poklemba, Commissioner
Barry Sample, Commissioner
Todd R. Snyder, Commissioner

Robert Williams, Executive Director
Edmund C. Burns, General Counsel

To: Commissioners

From: Edmund C. Burns

Date: February 17, 2015

Re: Proposed Rulemaking for Electronic Transfer of Funds to the Commission from Special Bell Jar Accounts (9 NYCRR § 4624.9)

For Commission consideration is a proposed amendment to an existing rule that would allow licensed charitable organizations to submit fees through electronic transfer. In general, Commission Rule 4624.9 requires any disbursement from charitable gaming accounts to be by check only. The purpose of this historical requirement was to increase accountability of charitable expenditures.

Each quarter, licensed charitable organizations are required to submit to the Commission a report of bell jar tickets sales. This report must be accompanied by an additional license fee, equaling five percent of the organization's net bell jar proceeds. The Division of Charitable Gaming processes approximately 1,500 reports each calendar quarter. Receipt of funds by electronic transfer would aid agency and regulated party efficiency substantially, by reducing the paperwork involved in submissions, ensuring immediate crediting of organization's accounts and automating the agency's depositing function, all without sacrificing safety, security or accountability.

This proposal would be an incremental step towards further automation of bell jar ticket accountability that would aid agency and regulated party efficiency.

A further stylistic change is also proposed.

The text of the proposed amendment is as follows:

§ 4624.9. Method of withdrawal.

[All] With the exception of the transfer of funds to the Commission as may be required by this Subchapter, which may be accomplished by approved electronic means pursuant to instructions, directions and procedures that the Commission may

establish and modify from time to time, all monies withdrawn from the “special games of chance account,” “special raffle account” or “special bell jar account” shall be only by checks having preprinted consecutive numbers, signed by at least two duly authorized officers of the licensee and made payable to a specific person, firm, partnership or corporation with the purpose specified on the check stub; and at no time shall a]. No check from any of the accounts described in this section is permitted to be made payable to cash. All checks must be accounted for in the appropriate part of the financial statement of games of chance operations (form GC-7), financial statement of raffle operations (form GC-7R) or financial statement of bell jar operations (form GC-7Q), including voided checks.



cc: Robert Williams, Executive Director
Stacy Harvey, Acting Director, Division of Charitable Gaming