This transcript was produced as the meeting progressed. It has not been edited or reviewed for corrections.

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 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.
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 undertake action.
00:00:29:21 This present meeting of the Commission is now called to order.
00:00:37:17 Establishment of a quorum requires four members being present.
00:00:39:03 Please indicate when your name is called--your presence when your name is called.
00:00:43:00 John Crotty?
00:00:46:10 Mark Gearan?
00:00:49:22 John Poklemba?
00:00:52:05 Barry Sample?
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 present, thus enabling transaction of business.
00:01:08:10 We're joined today by Mr. Crotty who wasn't certain he was going to be here today.
00:01:11:24 So for the purposes, we are capable of conducting business,
00:01:16:06 Thank you, 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, Pari-Mutuel Wagering and Breeding Law, section 104.19, authorizes the Commission to promulgate rules and regulations that it deems necessary to carry out its responsibilities.
00:01:36:15 In that regard, the Commission will, from time to time, promulgate rules and rule amendments pursuant to the State Administrative Procedure Act.
00:01:46:24 Today's meeting has a singular purpose: to adopt regulations and documents necessary to permit the Gaming Facility

Location Board to release the Commercial Casino Gaming Request for Applications.

Let me ask Rob Williams to call forth the first item. For the Commission's consideration is a proposed emergency rule-making prescribing the forms for the Request for Applications to Develop and Operate a Gaming Facility more commonly referred to as the RFA and for forms for Applications for Gaming Facility Licenses.

Racing, Pari-Mutuel Wagering and Breeding Law, section 1307.2, requires the Commission to prescribe various application forms in its regulations. Emergency rule-making is necessary to allow the Gaming Facility Location Board to issue the RFA. Under the proposal, a new part is established exclusively for gaming facility applications. These new rules will include provisions for the Application to Develop and Operate a Gaming Facility, background investigations of the applicant, fingerprinting of the applicant's principals and officers, requiring the applicants to update their applications throughout the process and setting an application fee.

Okay. Thank you, Rob.

We had a few questions that were answered by staff and we're prepared to go forward--I'm prepared to go forward.

As we've had a chance to review. Mr. Williams had sent them to us last week and we have had an opportunity to review them in detail. We had a few questions that were answered by staff and we're prepared to go forward--I'm prepared to go forward.

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Great. Hearing none.

All in favor, aye.

I know from my conversations with Rob there have been those questions over the course of this time. So, well, may I have a motion then to adopt the emergency rule-making?

I'll make the motion, Mr. Chairman.

Second.

Great.

The motion has been made and seconded.

Any discussion on the motion?

Great.

Hearing none.

All in favor, aye.
Aye.

Opposed?

The motion carries.

And I take it, Rob, that Mr. Snyder is not on telephonically.

Is that correct?

No, he was hoping that he'd be able to do that but it really depended upon timing of his transportation and whether his meeting conflicted.

Apparently, they did conflict so he's unavailable.

Okay.

All right.

Very good.

Rob, do you want to call forth the final item, then?

Certainly.

As you're all aware, Commission staff has been working on the skeleton of a Request for Application.

Since our last meeting, the Gaming Facility Location Board's Gaming Advisory Services Consultant has been working with staff to refine the statutory elements and develop the non-discretionary elements of the RFA.

Since our last meeting, we have also worked with the Gaming Facility Board's Gaming Advisory Services Consultant, the New York State Police and various Commission employees to create the documents necessary to advance the casino process.

Basically, four forms have been forwarded.

What we're looking at is the Request for Application, the RFA form itself, and other forms related to the applicant; Gaming Facility License Application form; a Multi-Jurisdictional Personal History Disclosure form; and a New York supplemental form to that Multi-Jurisdictional Personal History Disclosure form.

The supplemental form includes questions that are relevant to New York investigators that are not otherwise included in a multi-jurisdictional form.

Those forms have also been sent in advance to the members of the Commission.

In that regard then, to the commissioners, any questions on the forms?

Okay.

May I--I would entertain a motion then to adopt the forms.

So moved.

Second.

Great.

Any discussion?

Aye.

Any oppose?

The motion carries.

Well, this is good important work and Rob and I, in our
conversations, I think it's important for the Commission and on this--in this meeting to publicly indicate that for the purposes of the RFA, the Commission is now in the restricted period. All individuals interested in discussion of the RFA or the procedure should contact Gail Thorpe or Stacey Relation at our Contract Administrative Unit.

And I guess, to Rob or to Lee, their contact information I would imagine is explicitly listed in the RFA and is easily identifiable on our website.

Is that correct?

Yes, it will be clearly posted.

Yes, it'll be clearly posted on the website on the tab for casino gambling or also Ron's put it on the front page as well

So in our interests in putting the information clearly forward in transparency that will be clearly there.

Great.

[inaudible]

That--please?

Sir, is there a record of that then?

Of the--

People who contact the--

Yes, they will be making a record of contacts.

And all contacts that we receive, I'm assuming that's where we direct them to?

That would be preferable.

Correct.

[inaudible]

Rob, anything else is to--for guidance in this restricted period or anything to be noted, you know, in what I indicated for this contact piece?

I think the most important element is we make sure that people are aware if they approach you that you're not going to talk about the contents of the RFA, you're not gonna talk about applications, you're not gonna talk about process.

You'd prefer to move all of that to a singular source, Miss Thorpe or her assistant, Stacey Relation, and that they will then transmit any information that's necessary to clarify with any questions that you might receive but in other words using the two individuals as a fulcrum for all contacts rather than making any sort of contacts yourself.

Hm-mm.

And they are to ensure even information and consistent information is distributed, I suspect?

Correct.

Okay.

Well, that, if there's no other discussion, concludes our published agenda for today.
Do any of the commissioners have any additional items that they would like to present for consideration or conversation?

No, sir.

One of the things I would mention, we--I mentioned this at the last meeting. I'm very grateful to Rob and Lee and the Commission staff generally. We have put together the public forum on problem gambling. So that--there'll be notifications sent out. I think it promises to be a very important discussion. It's on Wednesday, April 9, in Albany. So information will be forthcoming but I think this is a very important step for us as we begin this process to bring experts within New York State, outside of the state, from academia, from advocacy groups, and for those treatment providers and individuals in recovery, to really take the kind of time that we need and must do at this stage to look at this issue. And to make certain that as we commence this process, the issue, some of the realities in what we can be doing about problem gambling are putting forth. Anything else on that, Rob or Lee, that we wanted to make sure the Commission was probably aware of?

Yes, the date's gonna be April 9 at 10 a.m. and, like you said, I think we imagine it's gonna run the full day. We will be holding that at the Empire State Plaza, in one of the meeting rooms. We are going to issue a meeting notice--I'm sorry, a hearing notice on that very shortly. We already have quite a number of individuals who have responded who confirm their attendance and that is shaping up to be what can be an extraordinarily useful activity. Now, is OASAS gonna be there? Yes, they are. Okay. The commissioner from OASAS will actually be sitting with us.

Very good. During that period. I would say to the commissioners, I've worked with Rob and Lee Park on this and I really do commend our agency staff for their focus in bringing this together in relatively short order. But our initial agenda and what we're looking to is a really dazzling group of expertise and advocacy folks and providers to really bring this conversation to the forefront so that we can
identify best practices for casino operators and regulators to implement those and address those challenges that we know exist. So I very much look forward to being in Albany on April 9 and commend the Commission staff for their focus on this. Okay, well, with that, any other items we need to go through before the Commission? Presuming none. Well, then, I would suggest this meeting of the Commission is adjourned. And I thank you all for your attendance. Thank you, Mr. Chairman.