



N.Y.S. Gaming Commission Transparency Initiative

October 20, 2021

Review of Commission's Current Public Engagement

Generally

N.Y.S. Gaming Commission public engagement is built off the Commission's core function of providing a strong regulatory framework for the governed industries, and to protect and enhance the integrity of the activity undertaken. Along with the regulatory framework, the core mission includes: with Lottery, to raise money for public education; with horse racing, to raise reasonable revenue for the support of government and promote the health and safety of all participants; for Gaming, to generate revenue to increase support for education beyond that of the State's education formulae and to provide real property tax relief to localities; and in Charitable Gaming, to ensure that charitable gambling is strictly construed and rigidly enforced to discourage commercialization and ensure the maximum availability of net proceeds for qualified organizations and their worthy causes and undertakings.

Primarily a regulatory agency, the Commission receive direct input from affected parties generally through the rulemaking process. The Commission has long engaged our affected communities in a pre-proposal engagement to receive input on matters of substantial concern. The State Administration Procedures Act (SAPA) public comment period provides additional opportunity.

We satisfy these obligations in large measure through provision of data.

Data Available

The Commission websites - Commission and a commercially-oriented New York Lottery website - contain a trove of gambling related information. This information includes, but is not limited to:

Administrative Records

- The webcast audio and visual recordings of every Commission meeting since our 2013 establishment
- Minutes of every Commission meeting since its 2013 founding, plus
 - State Racing and Wagering Board Minutes from 1979 through 2013
 - State Racing Commission Minutes from 1934 through 1973
- The Commission has long posted redacted versions of Commissioner Meeting Books at the time a meeting is noticed.
 - Only staff recommendations and unaccepted Hearing Officer Reports are withheld

Revenue Records

- Weekly NYRA racing data, including handle information, since 2015
- Monthly Advance Deposit Wagering Credit Reports, since 2014
- Weekly and Monthly commercial casino revenue reports, since commencement of activity
- Weekly and Monthly video lottery gaming revenue reports, since commencement of activity
- Lottery statements of revenue, expenses, and changes in net position, most recent year
- Lottery Aid to Education by school district, most recent year and cumulative since 1967

Operational Records

- Approved Bell Jar Tickets Database, cumulative
- Searchable Database of presently offered Instant Lottery Tickets
- Searchable Database of all winning Lottery numbers and drawing results, for past year
- Lists of all licensed Games of Chance Suppliers and Manufacturers, Bingo Suppliers and Manufacturers, and Manufacturers of Electronic Bingo Aids
- Guidelines for the conduct of Bingo, Games of Chance, Bell Jars, Las Vegas Nights and Raffles
- Searchable Horse Racing databases, including: Equine Breakdowns, Deaths, Injuries, and Incidents; Administrative Rulings; Equine Steroid Administration (limited to veterinarian access only), and current Horse Racing Occupational License Holders
- Racing Occupational License Application forms
- Proposed rules during the SAPA public comment period

Historical Records

- Annual reports of Commission, since our 2013 founding
 - State Racing and Wagering Board Annual Reports, from 1979 through 2012
 - State Racing Commission and State Harness Racing Commission Annual Reports, various
- Commission press releases, since our 2013 establishment
- Miscellaneous historical reports issued by the Commission or its predecessor agencies
- Miscellaneous historical reports relative to New York racing or gaming issued by others

Proposed Plan to Expand Transparency and Expected Timeline

The Commission will undertake the following:

Website Reorganization

- Undertake a complete redesign to enhance usability of the site
- Embark on a re-cataloging of all information, with an effort to simplify our landing pages in a clear, logical and concise manner
- Reorganize each topical area
- Aggregate revenue numbers to make Statewide review simpler

FOIL Improvements

- Reconfigure the landing page for FOIL requests by establishing a more prominently placed tab
- Provide a clear link to Open NY
- Prominently display the Commission FOIL subject matter list
- Cleanly detail the FOIL process and rights to appeal negative decisions
- Establish a frequently asked materials section, updated quarterly with those documents and information most frequently sought
- Create a landing for adjudicatory material from significant cases, such as the widely-covered Dutrow and Rice cases, as well as other high-profile adjudications
- Post FOIL data dashboards detailing annual and current requests and their status, updated weekly
- Post all FOIL Appeal decisions, since our 2013 establishment

Increase Operational Record Offerings

- Post all historical statutory reports, and update quarterly
- Provide a cleaner identification of links to licensing information and add additional licensing forms not already posted
- Post all Gaming Division Notice of Violations
- Post all Lottery Division Notice of Violations
- Post all Charitable Gaming Division Notice of Violations
- Post accepted Hearing Officer Reports and Commission-issued Findings and Orders
- Hyperlink to visual representations of each approved bell jar ticket
- Provide a searchable index to all Commission Final Adjudications, updated weekly
 - Include index of State Racing and Wagering Board Final Adjudications, from 1977 through 2013

Increase Public Accessibility

- Provide in a prominent location on the Commission landing page:
 - Frequently Used Telephone Numbers list to directly engage each division or public-engaging office
 - Hours of Operation for each division or public-engaging office

Improve Public Input

- Improve pre-proposal and post-proposal comment solicitation by formalizing outreach programs
- Broaden the ability of individuals to receive targeted emails regarding topical areas, to be advised of rulemaking or other issues relative to a specific portion of the gaming industry

Timeline

- The redesign of the website will require the services of an outside design consultant
 - Commission has already started conversations with WebNY

- Many of the additional informational additions can be accomplished on a rolling basis while the website is otherwise redesigned

Measures of Success and Long-Term Monitoring

The hallmark of success will be website traffic indicating utilization of the offerings.

From a practical sense, the exercise of evaluating Commission transparency and public engagement should be undertaken on a rolling basis. At minimum, transparency and engagement should be reviewed in advance of the annual Sunshine Week, which is a national initiative to promote dialogue about the importance of open government and freedom of information. Traditionally this week has been conducted in March.