

RULE REVIEW

BANKING DEPARTMENT

Pursuant to Section 207 of the State Administrative Procedure Act, Review of Existing Rules, notice is hereby given of the following rules which the Banking Department will be reviewing this year to determine whether they should be continued or modified. These rules were adopted in 2000.

– 3 NYCRR Part 41

- a. Description of rule: The rule regulates the making of high cost home loans by lenders regulated by the Banking Department.
- b. Legal basis for the rule: Banking Law Sections 6-i, 14(1), 590(3), 590-a and 595.
- c. Need for the rule: Regulation of high cost home lending is necessary in order to deter predatory lending practices.

– 3 NYCRR Part 301

- a. Description of rule: The rule amends regulations regarding the quality and maintenance of videotapes used in automated teller machine surveillance systems.
- d. Legal basis for the rule: Banking Law Sections 75-c and 75-n.
- c. Need for the rule: The rule establishes minimum standards for the quality and maintenance of videotapes used in automated teller machine surveillance systems.

Public comment on the continuation or modification of the above rules is invited. Comments must be received within 45 days of the date of publication of this notice. Comments should be submitted to:

Sam L. Abram
Secretary of the Banking Board
State of New York Banking Department
One State Street
New York, NY 10004
Telephone: (212) 709-1658
Email: sam.abram@banking.state.ny.us

RACING AND WAGERING BOARD

Five Year Review of Rules Adopted by the
New York State Racing and Wagering Board
in the Calendar Year 2000
Required to be Reviewed in
Calendar Year 2005

As required by State Administrative Procedure Act Section 207, the following is a list of rules, which were adopted by the New York State Racing and Wagering Board in the calendar year 2000 and which must be reviewed in calendar year 2005. Public comments on the continuation or modification of these rules are invited and those received by April 1, 2005, will be considered by the Secretary to the Board of the New York State Racing and Wagering Board, 1 Watervliet Avenue Extension, Albany, New York 12206-1668 or by email to info@racing.state.ny.us

1. Rule I.D. No: RWB-47-99-00001-A Section 5608.4 of Title 9 N.Y.C.R.R.

Description: This rule amends the bell jar ticket regulation by allowing manufacturers of bell jar tickets to submit, for Board approval, artist's renderings of belljar tickets, payout cards and flares.

Analysis of Need for the Rule: This rule amendment removes an inconsistency between rule 5608.4 and Section 195-n(l) of the General Municipal Law ("GML".) The GML § 195-(n)(l) allows manufacturers of bell jar tickets to submit samples or artists renderings of proposed bell jar tickets, payout cards and flares for Board review. The pre-amended 5608.4 required printed samples be submitted to the Board. Adoption of the amendment makes the two consistent.

Legal Basis for the Rule: General Municipal Law, Art. 9-A, sections 186 and 188-a(l).

2. Rule I.D. No: RWB-15-00-00005-A

Sections 5600.1, 5602.1, 5603.7, 5607.13, 5611.1, 5611.2, 5623.1, 5814.6, 5815.11 and Parts 5608, 5620, 5622, 5624 and 5820.

Description: Operation, licensing, conduct and enforcement of games of chance and bingo.

Analysis of Need for the Rule: To ensure compliance and consistency with the recent legislative changes in the General Municipal Law, Arts. 9-A and 14-H, as well as in furtherance of the operation, licensing, conduct and enforcement of the Games of Chance and Bingo.

Legal Basis for the Rule: General Municipal Law, art. 9-A, sections 186 and 188-a;
Executive Law, Art. 19-B, Section 435.

