

"MINUTES"
BOARD MEETING HELD IN ALBANY, NEW YORK
TUESDAY, MARCH 12, 1996 - 11:00 A.M.
N.Y.S. RACING & WAGERING BOARD

A. THE BOARD APPROVED THE MINUTES OF THE BOARD MEETING HELD IN ALBANY, NEW YORK ON WEDNESDAY, JANUARY 31, 1996

B. THE BOARD ACKNOWLEDGED THE ITEMS PREVIOUSLY APPROVED, DENIED OR DEFERRED BY THE CHAIRMAN

1. YONKERS REQUEST TO SIMULCAST

For entry into the minutes, the Chairman approved on February 1, 1996, the request by Yonkers Raceway to simulcast to the following tracks in 1996:

Atlantic City Racecourse - Tuesdays, Thursdays, Fridays & Saturdays

Lewiston Raceway - Daily Basis

Rosecroft Raceway - Mondays, Tuesdays, Thursdays, Fridays & Saturdays

2. YONKERS REQUEST TO SIMULCAST TO POCONO DOWNS

For entry into the minutes, the Chairman approved on February 2, 1996 the request by Yonkers Raceway to simulcast its races on Mondays and Tuesdays in February to Pocono Downs beginning Monday, February 5, 1996.

3. NYCOTB REQUEST TO AMEND PLAN OF OPERATION

For entry into the minutes, the Chairman approved on February 6, 1996 the request by NYCOTB to amend its plan of operation to accept one dollar (\$1.00) Daily Double bets on all Daily Doubles at all tracks commencing Wednesday, February 7, 1996.

4. YONKERS REQUEST TO SIMULCAST TO MEADOWLANDS AND MONMOUTH PARK

For entry into the minutes, the Chairman approved on February 6, 1996 the request by Yonkers Raceway to simulcast its races on Mondays and Tuesdays in February to the Meadowlands and Monmouth Park beginning February 5, 1996.

5. YONKERS REQUEST TO SIMULCAST DAILY TO "WINNERS OTB", BRUNSWICK, MAINE

For entry into the minutes, the Chairman approved on February 6, 1996 the request by Yonkers Raceway to simulcast its races on a daily basis to "Winners OTB", an off-track betting facility in Brunswick, Maine, beginning February 7, 1996.

6. **FINGER LAKES REQUEST - LICENSE AMENDMENT**

For entry into the minutes, the Chairman approved on February 6, 1996 the request by Finger Lakes Racing Association, Inc. to amend its 1996 schedule as follows:

DELETE: April 10th
July 17th, 18th & 26th
August 28th & 29th
September 6th
November 11th

ADD: May 29th
July 24th & 25th
September 4th & 5th
October 16th
November 13th

7. **YONKERS REQUEST TO SIMULCAST DAILY TO DETROIT RACECOURSE**

For entry into the minutes, the Chairman approved on February 9, 1996 the request by Yonkers Raceway to simulcast its races on a daily basis to Detroit Racecourse during the month of February, 1996.

8. **YONKERS REQUEST TO SIMULCAST DAILY TO THE MICHIGAN RACING ASSOCIATION**

For entry into the minutes, the Chairman approved on February 9, 1996 the request by Yonkers Raceway to simulcast its races on a daily basis to the Michigan Racing Association and the following inter-track wagering facilities beginning, February 12, 1996 through December 31, 1996:

Hazel Park
Northville Downs
Saginaw Valley Downs
Jackson Trotting Association
Sports Creek Raceway
Muskegon Race Course

9. **BUFFALO RACEWAY REQUEST TO CONDUCT "ALL TRIFECTA"**

For entry into the minutes, the Chairman approved on February 15, 1996 the request by Buffalo Raceway to conduct two "All Trifecta" cards on Friday, March 15 and Saturday, March 16, 1996.

10. **NYCOTB REQUEST TO APPOINT MICHAEL E. POPE AS A MEMBER OF ITS BOARD OF DIRECTORS**

For entry into the minutes, the Chairman approved on February 15, 1996 the request by New York City Off-Track Betting Corporation to amend its simulcast plan of operation to appoint Mr. Michael E. Pope as a member of its Board of Directors. The approval was contingent upon a satisfactory return of Mr. Pope's fingerprint cards.

11. **YONKERS REQUEST TO SIMULCAST**

For entry into the minutes, the Chairman approved on February 16, 1996 the request by Yonkers Raceway to simulcast its races to the following tracks as outlined in the respective agreements:

Buffalo Raceway - Thursday, Friday and Saturday

February 15 - December 31, 1996

Monticello Raceway - Daily, except Monday

February 13, 1996 - December 31, 1996

Vernon Downs - Daily Basis

Batavia Downs - Thursday through Saturday

12. **SUFFOLK OTB REQUEST TO CONDUCT PROMOTION**

For entry into the minutes, the Chairman approved on February 16, 1996 the request by Suffolk Regional Off-Track Betting Corporation to conduct a promotion at Tel-A-Race on Friday evening, February 16, 1996 which includes free admission with each Valentine dinner.

13. **CDROTB REQUEST TO CONDUCT PROMOTION**

For entry into the minutes, the Chairman approved on February 16, 1996 the request by Capital District Regional Off-Track Betting Corporation to conduct a promotion at the Albany Teletheater on Friday, February 16, 1996.

14. **MONTICELLO REQUEST - LICENSE AMENDMENT**

For entry into the minutes, the Chairman approved on February 21, 1996 the request by Monticello Raceway to add Wednesday, February 28, 1996 (Post Time 7:35 p.m.) to its 1996 Harness racing schedule.

15. **SUFFOLK OTB REQUEST TO CONDUCT PROMOTION**

For entry into the minutes, the Chairman approved on February 21, 1996 the request by Suffolk Regional Off-Track Betting Corporation to conduct a promotion at Tel-A-Race on Friday evening, February 23, 1996 which included free admission with each Valentine dinner.

16. **NYRA REQUEST TO OFFER FREE CLUBHOUSE ADMISSION**

For entry into the minutes, the Chairman approved on February 23, 1996 the request by the New York Racing Association Inc. to offer free Clubhouse admission passes to each of the 60 finalists in the Handicappers' Challenge to be honored on March 16 and 17, 1996.

17. **YONKERS REQUEST TO SIMULCAST TO POCONO DOWNS**

For entry into the minutes, the Chairman approved on February 23, 1996 the request by Yonkers Raceway to simulcast its races on Mondays and Tuesdays in March to Pocono Downs.

18. **BUFFALO REQUEST TO CONDUCT HANDICAPPING CONTEST**
For entry into the minutes, the Chairman approved on February 23, 1996 the request by Buffalo Raceway to conduct a handicapping contest in March, as outlined in their request of February 9, 1996.
19. **NYCOTB REQUEST TO OFFER FREE ADMISSION**
For entry into the minutes, the Chairman approved on February 23, 1996 the request by the New York City Off-Track Betting Corporation to amend its Simulcast Plan of Operation to offer free admission to designated patrons of the Simulcast Theater (Inside Track) located at 991 Second Avenue, with the understanding that the free admission to designated patrons enables them to use the Simulcast Theater and/or the V.I.P. Room, the Top Track Club.
20. **NYCOTB REQUEST TO CONDUCT BETMATE "PILOT"** (See also Item 33)
For entry into the minutes, the Chairman approved on February 23, 1996 the request by New York City Off-Track Betting Corporation to conduct a "pilot" or "test" project utilizing Amtote's new BetMate betting terminals in the residences of twelve (12) telephone betting customers. The approval was given until the end of the in-home simulcast experiment which expires June 1, 1996, under the following conditions:
a) NYCOTB submit BetMate weekly handle information.
b) NYCOTB set up guidelines to control and monitor who has access to the terminals and where they are to be used.
c) NYCOTB reapply to the Board after the test period if it wishes to continue the project.
d) NYCOTB will provide a report at the end of the test project with an evaluation of the results.
21. **MONTICELLO RACEWAY - LICENSE AMENDMENT**
For entry into the minutes, the Chairman approved on February 23, 1996 the request of Monticello Raceway to amend its 1996 Harness racing schedule as follows:
Add: Wednesday, March 6, 12, 20 and 27
Delete: Saturday, March 2, 9, 16, 23 and 30.
22. **NYCOTB REQUEST TO SIMULCAST FROM MONTICELLO**
For entry into the minutes, the Chairman approved on February 23, 1996 the request by New York City Off-Track Betting Corporation to amend its Simulcast Plan of Operation to simulcast races from Monticello Raceway on Monday, Tuesday and Wednesday nights beginning Monday, February 26th through the end of March, 1996.

23. **NYCOTB REQUEST TO COMBINE WAGERS ON RACES RUN AT PHILADELPHIA PARK**
For entry into the minutes, the Chairman approved on February 26, 1996 the request of New York City Off-Track Betting Corporation, acting on behalf of all New York State Off-Track Betting Corporations, to amend their respective Simulcast Plans of Operation to combine wagers made at the Off-Track Betting facilities on races run at Philadelphia Park.
24. **REQUEST FOR EXTENSION OF APPRENTICE ALLOWANCE OF JOCKEY CASEY R. CHAVEZ** (See also Item 36)
For entry into the minutes, the Chairman approved on February 26, 1996 the request of New York State Racing and Wagering Board Steward, Carmine Donofrio to extend the apprentice allowance of Jockey Casey R. Chavez due to inclement weather. His apprenticeship allowance will expire on March 7, 1996.
25. **MONTICELLO REQUEST TO CONDUCT ALL TRIFECTA CARDS**
For entry into the minutes, the Chairman approved on February 26, 1996 the request of Monticello Raceway to conduct all trifecta cards on Wednesdays instead of Tuesdays, as long as Yonkers remains dark and Monticello continues to race on Wednesdays.
26. **CDROTB REQUEST TO SIMULCAST TYSON/BRUNO BOXING MATCH**
For entry into the minutes, the Chairman approved on February 28, 1996 the request of Capital District Regional Off-Track Betting Corporation to simulcast the Tyson/Bruno boxing match into the Albany Tele-Theater, 711 Central Avenue, Albany, NY on Saturday, March 16, 1996.
27. **MONTICELLO REQUEST TO SIMULCAST AND WAGER ON JAI ALAI GAME FROM THE MILFORD FRONTON IN MILFORD, CT.**
For entry into the minutes, the Chairman denied on March 4, 1996 the request by Monticello Raceway to accept the simulcast and wager on jai alai games from the Milford Fronton in Milford, Connecticut. Horse racing is the only sport upon which pari-mutuel wagering can be conducted legally in New York State. Wagering on jai alai is illegal. Therefore, the request was denied.
28. **SUFFOLK OTB REQUEST TO CONDUCT DINNER PROMOTIONS**
For entry into the minutes, the Chairman approved on March 4, 1996 the request of Suffolk Regional Off-Track Betting Corporation to conduct dinner promotions, at periodic intervals throughout 1996, that will include "free admission on next visit with each dinner entree". The approval was granted upon the condition that Suffolk Regional Off-Track Betting Corporation inform the Board when these are conducted, and report the number of free admissions that are given out, as well as the number actually used on a return visit for which Suffolk Regional Off-Track Betting Corporation will be required to pay tax.

29. **NYRA REQUEST TO ADD RACES TO LIST OF SPECIAL INTEREST EVENTS IN 1996**

For entry into the minutes, the Chairman approved on March 4, 1996 the request by the New York Racing Association Inc. to add the following races to the list of special interest events in 1996:

Date	Purse	Gr.	Race	Age/Sex	Distance	Track
3/17	200,000	II	Louisana Derby	3 & Up	1 1/16	Fair Grounds
3/24	150,000		Tampa Bay Derby	3YO	1 1/16	Tampa Bay Downs
3/30	600,000	II	Jim Beam Stakes	3YO	1 1/8	Turfway Park
4/06	200,000	III	Flamingo Stakes	3YO	1 1/8	Hialeah Park
4/13	200,000	II	Black Helen Handicap	F& M	1 1/8 (T)	Hialeah Park
4/20	200,000	III	Hialeah Turf Cup	3 & Up	1 3/16 (T)	Hialeah Park
4/27	250,000	III	National Jockey Club	4 & Up	1 1/8	Sportsman Park

30. **CDROTB REQUEST TO CONDUCT HANDICAPPING CONTEST**

For entry into the minutes, the Chairman approved on March 4, 1996 the request by Capital District Regional Off-Track Betting Corporation to conduct a handicapping contest called the "Exacta Fest" at its Albany Tele-Theater Clubhouse on Sunday, March 17, 1996.

31. **FINGER LAKES - LICENSE AMENDMENT**

For entry into the minutes, the Chairman approved on March 8, 1996 the request by Finger Lakes Racing Association, Inc. to amend its racing schedule to race 171 programs instead of 170 programs. Specifically, this includes:

ADD: April 29th & 30th

DELETE: April 10th

ADD: May 29th

ADD: July 24th & 25th

DELETE: July 17th, 18th & 26th

DELETE: August 28th & 29th

ADD: September 4th & 5th

DELETE: September 6th

32. **WROTB REQUEST TO APPOINT JAMES L. STEEVERS AS MEMBER OF ITS BOARD OF DIRECTORS**

For entry into the minutes, the Chairman approved on March 5, 1996 the request by Western Regional Off-Track Betting Corporation to amend its plan of operation to appoint Mr. James L. Steevers as a member of its Board of Directors. The approval was contingent upon a satisfactory return of Mr. Steevers' fingerprint cards.

33. **NYCOTB REQUEST FOR EXTENSION TO CONDUCT BETMATE"PILOT"**
For entry into the minutes, the Chairman approved on March 5, 1996 the request by New York City Off-Track Betting Corporation for an additional three (3) month extension to conduct a "pilot" or "test" project utilizing Amtote's new BetMate betting terminals in the residences of twelve (12) telephone betting customers. The approval was given through August 31, 1996. In addition, NYCOTB is no longer required to submit weekly BetMate handle reports as long as a comprehensive report is submitted at the conclusion of the experiment on August 31, 1996.
34. **CATSKILL OTB REQUEST TO SIMULCAST FROM NORTHFIELD PARK, OHIO**
For entry into the minutes, the Chairman approved on March 8, 1996 the request of Catskill Regional Off-Track Betting Corporation to amend its plan of operation to offer simulcast wagering on harness races from Northfield Park, Ohio on Monday, Wednesday, Friday and Saturday nights.
35. **VERNON DOWNS REQUEST TO ADD DUBAI WORLD CUP**
For entry into the minutes, the Chairman approved on March 8, 1996 the request by Vernon Downs to add the Dubai World Cup race, to be run on March 27, 1996, to the list of thoroughbred races of special interest.
36. **REQUEST FOR EXTENSION OF APPRENTICE ALLOWANCE OF JOCKEY CASEY R. CHAVEZ**
For entry into the minutes, the Chairman approved on March 8, 1996 the request by New York State Racing and Wagering Board Steward, Carmine Donofrio for an additional extension of the apprentice allowance of Jockey Casey R. Chavez for 11 days due to injuries sustained in an automobile accident on February 24, 1996. His apprenticeship allowance will expire on March 18, 1996.
37. **NYCOTB REQUEST TO MERGE PARI-MUTUEL POOLS AT SANTA ANITA**
For entry into the minutes, the Chairman on March 8, 1996 approved the request by New York City Off-Track Betting Corporation on behalf of itself and other off-track betting corporations to merge pari-mutuel pools at Santa Anita.

C. ITEMS APPROVED, DENIED OR DEFERRED BY THE BOARD

1. **YONKERS REQUEST TO SIMULCAST TO HOTELS AND CASINOS IN NEVADA**
For entry into the minutes, the Board approved on February 20, 1996 the request of Yonkers Raceway to approve the contract with the several Nevada Pari-Mutuel Racebooks dated January 24, 1996 subject to the following condition which will apply to the disseminator (Las Vegas Dissemination Company, Inc.): The disseminator will arrange with Yonkers Raceway to have available a fax machine at Yonkers Raceway to receive an immediate fax copy of the matrix of any pool which is to be transmitted to Yonkers Raceway after its closing time pursuant to paragraph 10 of the contract; such

fax copy will be independently time certified by the fax machine in control of Yonkers Raceway to reflect that such wagering information as well be transmitted to Yonkers Raceway was, in fact, in the possession of the disseminator before the race started at the Yonkers Raceway track; a copy of such fax (and time certificate) will be transmitted by Yonkers Raceway to this Board and the Nevada Gaming Control Board by the end of the day. No wagers will be merged after the start of the race unless such evidence has been received.

D. FOR BOARD DETERMINATION

1. **FINGER LAKES REQUEST- 1996 ROSTER OF RACING OFFICIALS**

The Board approved the request by Finger Lakes Racing Association Inc. for approval of the 1996 roster of racing officials, pursuant to Board Rule 4005.1.

2. **BATAVIA DOWNS - CHANGE IN CORPORATE STRUCTURE**

The Board approved a waiver of compliance with Section 303, subdivision one, two and three, in the transfer of all shares from Genesee Monroe Racing Association, Inc. to Wood Hill Associates, Inc., based upon a finding of good cause shown. Based upon the documents submitted, beneficial ownership of the racetrack remains the same.

3. **BATAVIA DOWNS - RECONSIDERATION OF FINANCIAL STATEMENT REQUIREMENTS**

The Board approved the request of Batavia Downs to submit some alternative financial statements in order to lessen the financial burden. The revised Board requirements are

:

1. An audited financial statement for 1995 by April 30, 1996;
2. The submission of the past due track license fees totaling \$10,200;
3. Unaudited balance sheets for 1993 and 1994 by April 30, 1996; and
4. Current balance sheets by April 30, 1996.

4. **RULE PROPOSAL FOR FREEZE BRANDING**

The Board approved the proposed amendment to existing rule 4106.5 that provides for freeze branding as an appropriate means of identification for harness horses.

5. **MATTER OF WILLIAM H. WILLIAMS**

William H. Williams, licensed as general services at thoroughbred tracks, was served with an Order to Show Cause returnable on January 25, 1996, why his license should not be revoked based upon a 1995 conviction for Criminal Sale of a Controlled Substance in the Third Degree. The Board affirmed the Hearing Officer's recommendation that the thoroughbred general services license of William H. Williams be revoked.

6. **AMENDMENT TO FUROSEMIDE RULES**

The Board approved the proposed amendment to the existing rules which would make two year olds ineligible for the lasix (furosemide) program.

7. **SARATOGA RACEWAY CAPITAL IMPROVEMENTS**

The Board approved the request by Saratoga Harness Racing Inc. to withdraw \$9,161.29 from the Capital Improvement Fund, which represents the uncommitted balance of the Fund as of December 31, 1995.

8. **MONTICELLO RACEWAY CAPITAL IMPROVEMENTS**

The Board approved the request by Monticello Raceway to withdraw a total of \$116,070.37 from the Capital Improvement Fund for the following projects:

Barns - Ground Fault Receptacles and Fixtures	\$36,316.16
Simulcasting Project	31,620.37
High Voltage Switch Gear Breaker	14,550.00
High Voltage Wiring	8,726.29
Lasix Barn	8,520.42
Computer - Accounting Department	14,545.50
Roof - Grandstand Men's Room	2,040.00
3 VCR's - For Judges and Video	651.63
Furnace - Maintenance Garage	<u>4,100.00</u>

It was affirmed that \$115,395.37 be approved for withdrawal after disallowing \$675.00 for travel and lodging which is ineligible.

The Board meeting adjourned at 11:45 a.m.