



## Minutes

### Meeting of 20 May 2024

A meeting of the Commission was conducted in New York and Schenectady, New York.

#### 1. Call to Order and Establishment of Quorum

Executive Director Robert Williams called the meeting to order at 1:17 p.m. Establishment of a quorum was noted by Acting Secretary Kristen Buckley. In physical attendance were Chairman Brian O'Dwyer and Members John Crotty, Sylvia Hamer, Marissa Shorenstein, and Jerry Skurnik. Member Peter Moschetti attended from the Schenectady location.

#### 2. Consideration of Minutes for Meeting of 25 March 2024

The Commission considered previously circulated draft minutes of the meeting conducted on 25 March 2024. The minutes were accepted as circulated.

#### 3. Report of the Executive Director

The Executive Director presented a report on the Division of the Lottery's new advertising campaign that will focus on its underlying purpose of benefitting New York education, and the preparations underway for the conduct of the Belmont Stakes Racing Festival at Saratoga Race Course.

#### 4. Rulemaking

##### A. **ADOPTION: SGC-06-24-00002-P, Pick-Four Wagers for Thoroughbred and Harness Racing**

The Commission considered adoption of amendments to the Thoroughbred and harness pick-four wagering rules, regarding consolation pools and carryovers.

ON A MOTION BY: Commissioner Shorenstein  
APPROVED: 6-0

**B. ADOPTION: SGC-06-24-00003-P, Pick-Five Wager for Thoroughbred Racing**

The Commission considered adoption of amendments to the Thoroughbred pick-five wagering rule to allow the option of offering a consolation payout.

ON A MOTION BY: Commissioner Skurnik  
APPROVED: 6-0

**C. ADOPTION: SGC-06-24-00004-P, Claiming Rules Revisions in Thoroughbred Racing**

The Commission deferred consideration of this Item, requesting specific information from the Equine Medical Director regarding historic changes to claiming rules.

**D. Proposal: Amendments to the existing harness whipping rule**

The Commission considered proposed amendments to existing rules regarding the use of whips in harness racing, to further define the allowable urging at any time a horse driven on the track, and to set a penalty structure for violations.

Chairman O'Dwyer made a motion to modify the proposed rule at 4117.8(h)(1), regarding penalties for kicking, to impose a suspension of 30 days for the initial offense, 90 days for a timely second offense, and revocation for a timely third offense. The Motion to amend was unanimously approved. The proposal, as amended, was then considered.

ON A MOTION BY: Commissioner Moschetti  
APPROVED: 6-0

**5. New & Old Business**

No New or Old Business was considered.

**6. Adjournment**

Before concluding, Chairman O'Dwyer discussed his experiences with the Lottery's new advertising campaign development, a recent visit to the offices of the Racetrack Chaplaincy at Belmont Park and the continuing effort to maintain an understanding of issues and concerns facing the backstretch

community, the efforts of the Agriculture & New York State Horse Breeding Development Fund, New York Thoroughbred Breeding and Development Fund, and Department of Agriculture & Markets' efforts to secure aftercare of retired racehorses and prevent horse slaughter. O'Dwyer also spoke on efforts of the Commission to develop an Internship program and about the construction progress of new housing at Belmont Park and Saratoga Race Course.

The meeting was adjourned at 1:52 p.m.

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