

**Minutes of the
New York State Racing Commission**

1972

A meeting of the State Racing Commission was held on due notice at the Commission office, on Thursday, January 13, 1972, commencing at 10 o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner
William L. Pfeiffer, Commissioner

Also present: Alex M. Robb, Director of the Thoroughbred Breeders Service Bureau; Harry J. Millar, Secretary; John S. Clark, Counsel; Gerard A. Burke, Steward; and Hary M. Peterson, Chief Chemist.

On motion duly made and seconded, the Commission approved the Minutes of the December 8, 1972 Meeting.

The Commission appointed the following seasonal staff to commence their duties on Wednesday, March 1, 1972 and to terminate on Friday, December 15, 1972, or at the pleasure of the Commission. The Chairman was authorized and directed to make such additional appointments as may be necessary to fill all vacancies:

Sup. Drug Tests	James Brewer, VMD	109.18	-	3/1=12/15
Inspector	Aldo Sagrati	34.63	2.00	3/1=12/15
"	Thomas Reitano	34.63	3.00	3/1=12/15
"	Howard Gotterup	34.63	3.00	3/1=12/15
"	Christopher Santa Donato	34.63	3.00	3/1=12/15
"	Neil Cifichiello	34.63	3.00	3/1=12/15
"	Charles Barsa	34.63	-	3/1=12/15
"	William Nertney	34.63	3.00	3/1=12/15
"	*Joseph Wagner	34.63	3.00	3/1=12/15
"	Peter Gandini	34.63	2.00	3/1=12/15
"	Eugene Donaldson	34.63	3.00	3/1=12/15
"	Ted Guzikowski	34.63	2.00	3/1=12/15
"	George Blunt	34.63	3.00	3/1=12/15
"	Raymond Delano	34.63	3.00	3/1=12/15
"	Albert Schmidl	34.63	2.00	3/1=12/15
"	Charles Carroll	34.63	2.00	3/1=12/15
"	Norman Richardson	34.63	3.00	3/1=12/15

*Mr. Wagner to Finger Lakes 4/27 thru 11/9/72.

The Commission appointed Francis P. Dunne as Steward of the State Racing Commission, to begin on March 1st and to terminate not later than December 15, 1972.

The Commission approved the appointment of Matthew O'Grady to act as an Inspector at the Aqueduct, Belmont and Saratoga Race Tracks during the period in which Joseph Wagner is employed at the Finger Lakes Track.

The Commission approved the appointment of Robert Bernhardt as Commission Chauffeur effective March 1, 1972.

The Commissioners reviewed the report of the Steward of suspensions and fines at New York Racing Association tracks, covering the period since the last Commission meeting.

The Chairman brought to the attention of the Commission the request dated January 12, 1972 from the FLRA for approval of racing dates. There followed a discussion concerning the request of Finger Lakes to race five days each week, commencing May 1st and continuing through November 7th. The Commission rejected the request for approval of racing on five days for the entire season but authorized the following racing dates which had been submitted by FLRA for approval:

Spring Meeting

Monday, May 1st through Friday, June 30th 44 days

Summer Meeting

Saturday, July 1st through Thursday, August 31st 53 days

Approved amendment of Section 10.25 of the Rules and Regulations of the Commission, now reading as follows:

10.25 Adjustment of underpayments caused by error. (b) If any such error should occur in computing the daily double or the twin double pools, the underpayment shall be added to the corresponding pool of the following day.

to read as follows:

10.25 Adjustment of underpayments caused by error. (b) If any such error should occur in computing the daily double pools, the underpayment shall be added to the corresponding pool of the following day.

Approved amendment of Section 11.1 (a) of the Rules and Regulations of the Commission, now reading as follows:

11.1 Pools - calculation and distribution. (a) Win, place, show, daily double or twin double wagers form separate wagering pools with pay-offs calculated independently of each other.

to read as follows:

11.1 Pools - calculation and distribution. (a) Win, place, show or daily double wagers form separate wagering pools with pay-offs calculated independently of each other.

Approved amendment of Section 11.1 (b) of the Rules and Regulations of the Commission, now reading as follows:

11.1 Pools - calculation and distribution. (b) From each pool there shall be deducted 16 per centum, the remainder being the net pool for distribution, less the breaks, as provided by subdivision (1) of section 9 of the Pari-Mutuel Revenue Law.

to read as follows:

11.1 Pools - calculation and distribution. (b) From each pool there shall be deducted 17 per centum, the remainder being the net pool for distribution, less the breaks, as provided by subdivision (1) of section 9 of the Pari-Mutuel Revenue Law.

The Chairman informed the Commissioners that the Commission had been in receipt of a series of crank notes in recent week, all of which have been referred to the New York State Identification and Intelligence System for investigation.

The Chairman reported that the FBI had suspended the processing of fingerprint impressions submitted on behalf of the Commission and that he had accordingly, requested the New York State Identification and Intelligence System to assume this function on the Commission's behalf.

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the period since the last Commission meeting.

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Spring Meeting

Monday, May 1st through Friday, June 30th 44 days

Summer Meeting

Saturday, July 1st through Thursday, August 31st 53 days

Fall Meeting

Friday, September 1st through Tuesday, November 7th 50 days
147 days

The Track will be on a 5 day a week basis from May 1st through June 30th, closing Thursday and Sunday. Racing will be on a 6 day a week basis July 1st through September 9th, Monday through Saturday. The track will resume racing on a 5 day a week basis from September 11th through November 7th, closing Thursday and Sunday.

The Chairman reported that the Finger Lakes Racing Association had submitted plans for proposed construction at its race track, together with a request for approval. The Commission directed that the plans would be submitted to a commission designated architect with a request for a report therein.

The Chairman noted that Mr. Alex M. Robb, Director of the Thoroughbred Breeders Service Bureau, will retire effective January 31, 1972. Each of the Commissioners individually expressed their regret at his retirement and, after extending to him appropriate wishes, the Commission duly adopted the following Resolution:

WHEREAS, Alex M. Robb began his association with Thoroughbred horses as the Director of the horse interest of Willis Sharpe Kilmer, one of America's leading owners and breeders, was the executive secretary of The Thoroughbred Racing Associations of the United States and subsequently the general manager of Belmont Park, and

WHEREAS, since its inception in 1962, the Thoroughbred Breeders Service Bureau of the New York State Racing Commission, New York Breeding, under the direction of Mr. Robb, has forged steadily ahead, the Bureau having become a major factor in the growth and development of breeding in the State of New York and an industry of economic importance, having emerged,

NOW THEREFOR, BE IT RESOLVED, that the New York State Racing Commission expresses its gratitude to Alex M. Robb for his faithful service, wise counsel and experienced guidance and direction throughout the years in which he acted as Director of the Thoroughbred Breeders Service Bureau, and on the occasion of his retirement extends to him its cordial

felicitations, together with its best wishes for continued health and happiness.

There being no further business, on motion duly made and seconded, the meeting adjourned.

Respectfully submitted,


Secretary

A meeting of the State Racing Commission was held on due notice at the Commission office, on Thursday, February 10, 1972 at ten o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner
William L. Pfeiffer, Commissioner

Also present: John S. Clar, Counsel; Gerard A. Burke, Steward Harry M. Peterson, Chief Chemist; Harry J. Millar, Secretary; and William Welch, Director of the Thoroughbred Breeders Service Bureau.

On motion duly made and seconded, the Commission approved the Minutes of the January 13, 1972 meeting.

The Commission approved the following 1972 Post Time for The New York Racing Association Inc.:

<u>AQUEDUCT</u> Wednesday, March 1 to Saturday, May 13	1:30 P.M.
<u>Belmont</u> Monday, May 15 to Saturday, June 17	1:30 P.M.
<u>Aqueduct</u> Monday, June 19 to Saturday, July 29	1:30 P.M.
<u>Saratoga</u> Monday, July 31 to Saturday, August 26	1:30 P.M.
<u>Belmont</u> Monday, August 28, to Saturday, October 14	1:30 P.M..
<u>Aqueduct</u> Monday, October 16 to Saturday, October 28	1:30 P.M.
Monday, October 30 to Friday, December 15	12:30 P.M.
Thanksgiving Day (November 23rd)	11:00 A.M.

In accord with the request of The New York Racing Association Inc., dated February 7, 1972, the Commission approved the appointment of the following persons to be engaged as officials in the actual conduct of racing for the 1972 season:

Steward appointed by NYRA.....	Nathaniel J. Hyland
Racing Secretary & Handicapper.....	Kenneth Noe, Jr.
Ass't. Racing Secretaries & Handicappers.....	Clifford D McCartney
.....	Charles P. Sullivan
Starter.....	George B. Cassidy
Clerk of the Scales.....	John E. O'Hara
Ass't. Clerk of Scales.....	James Zimmerman
Paddock and Patrol Judge.....	Gerard A. Burke
Patrol & Ass't. Paddock Judge.....	Wm. T. O'Connor

Patrol Judge	Warren G. Mehrtens
.....	Lucas Dupps
Placing Judges	William A. Murphy, J
.....	Donald L. Peregoy
.....	Frederick W. Meinz
Timer	Sentell L. Taylor, J
Deputy Clerk of the Course.....	William F. Garges
Chief Examining Veterinarian	Manuel A. Gilman, DVM
Examining Veterinarians	Frederick J. Reynolds
.....	Clinton Hartley, DVM
Director of Admissions	Dvauid H. Carnahan
Announcer	Dave Johnson

The Commission approved the appointment by The New York Racing Association Inc. of the following employees of its Racing Department to serve as temporary substitutes for the foregoing individuals (other than as Steward) during the season:

Frank Calvarese	Clifford D. McCartney
William F. Garges	Harry T. Palmer, Jr.
Robert F. Kelley, Jr.	Robert A. Smithers
Charles P. Sullivan	

The Commission approved the appointment by The New York Racing Association Inc. of the following persons to serve temporarily in the position of Steward, if required:

Gerard A. Burke	Warren C. Mehrtens
Kenneth Noe, Jr.	Patrick W. O'Brien

The Commission approved the appointment by The Jockey Club of Mr. Calvin S. Rainey as Steward representing it at all 1972 meetings of The New York Racing Association Inc., and of Mr. John T. Morrissey as Steward representing it at the 1972 meetings of the Finger Lakes Racing Association, Inc.

In accord with the request of the Finger Lakes Racing Association, Inc., dated January 20, 1972, the Commission approved Exacta wagering on the 3rd, 5th, 7th and 9th races to be conducted by it during the 1972 racing season.

The request of the Finger Lakes Racing Association, Inc. by letter dated January 21, 1972, for permission to have a \$1.00 Special Event Clubhouse admission was approved.

The request of the Finger Lakes Racing Association, Inc. by letter dated January 29, 1972 for a 2:00 P.M. Post Time was denied. Following extensive discussions, the Commission approved a 1:30 P.M. Post Time for the 1972 racing season at Finger Lakes.

The Chairman reported that Mr. Alfred G. Vanderbilt, Chairman of the New York Racing Association, Inc., by letter dated February 3, 1972, had requested a change in Commission rules whereby the prohibition against entries in Exacta races would be eliminated. There followed a lengthy discussion, at the conclusion of which the matter was tabled.

The Chairman brought to the attention of the Commissioners the

application of Martin Fallon for a trainer's license, and distributed to each of the Commissioners a copy of a report on the applicant prepared by the TRPB.

On motion duly made, seconded and carried, the Commission adopted the following resolution:

Resolved, that the word "boy" in Rule 32.1 (b) (1) of the Rules and Regulations of the New York State Racing Commission shall be and the same hereby is changed to "person".

There being no further business, on motion duly made and seconded, the meeting adjourned.

Respectfully submitted,



Harry J. Millar
Secretary

A meeting of the State Racing Commission was held on due notice at the Commission office, on Thursday, March 16, 1972, commencing at 10 o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner

Also present: Harry J. Millar, Secretary; Francis P. Dunne, Steward; John S. Clark, Counsel; Gerard A. Burke, Steward; Harry Peterson, Chief Chemist and William Welch, Director of the Thoroughbred Breeders Service Bureau.

On motion duly made and seconded, the Commission approved the Minutes of the February 10, 1972 Meeting.

The Commission approved the application of the Finger Lakes Racing Association Inc. under date of January 12, 1972 for approval of plans for the general improvement of its clubhouse and grandstand facilities. The Chairman was authorized to issue a permit therefore, subject to the compliance by Finger Lakes Racing Association Inc. with the suggestions set forth in the report of Stevens, Bertin, & O'Connell, architects engaged by the Commission to review the drawings and specifications by Finger Lakes Racing Association Inc.

On motion duly made and seconded, the Commission approved the following 1972 racing officials for the Finger Lakes Racing Association Inc.:

Raymond E. Pollock	- Steward
Bennett Parke	- Racing Secretary
James Boucher	- Asst. Racing Secretary & Placing Judge
Robert Dygert	- Clerk of Scales and Patrol Judge
John Huggins	- Paddock Judge & Patrol Judge
Joseph Kozan	- Placing Judge
William Taylor	- "
Robert Rigby	- Timer and Identifier
J. R. Hill	- Patrol Judge
Timothy O'Keefe	- "
Dr. Donald K. Pritchard	- Examining Veterinarian
Dr. Ramon Umana	- Assistant Examining Veterinarian
Oscar G. Mackey	- Starter
Ross Morton	- Announcer

On motion duly made and seconded the Commission approved the following 1972 Commission staff for the Finger Lakes Race Track:

Gerard A. Burke	- Steward
Norman F. Lewis	- Supervisory of Drug Tests
Martha V. Oberlies	- Assistant to Steward

Joseph C. Wagner	- Assistant Supervisor of Drug Tests
Mary Masick	- Inspector-Office
Francis E. Laimbeer	- Inspector-Office
Raymond J. Hampson	- Inspector-Office
Robert D. Reynolds	- Inspector-Lead In
Edward Lewis	- Inspector-Lead In
Richard J. O'Brien	- Inspector-Technician
Leland Gardner	- Inspector-Technician
William MacIntyre	- Inspector-Technician

Matthew O'Grady was approved for the position of Commission Inspector of The NYRA tracks during the period in which Mr. Wagner will serve at Finger Lakes.

The Chairman reported that James Ziccardi had been transferred from the Commission's main office to track operations where he has been assigned to the starting gate, as Assistant to the Steward, replacing Thomas Ricci.

The Chairman further reported that Joseph Skelly has been employed as an Inspector to the Commission's main office, replacing James Ziccardi; that Mrs. Ruth Shulman has been appointed to the position of Inspector, replacing Charles Carroll; that Angelo Tartaro will replace the late Peter Gandini, an Inspector; and that Vincent Mottolla has been appointed to the position of Inspector in the Licensing Bureau.

The Commissioners reviewed the report of the Steward of suspensions and fines at the New York Racing Association track, for the first four days of the Aqueduct, Spring Meeting.

The Commission reviewed occupational licenses.

There being no further business, on motion duly made and seconded, the meeting adjourned.

Respectfully submitted,


Secretary

A meeting of the State Racing Commission was held on due notice at the Commission office, on Thursday, April 13, 1972, commencing at 10 o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner

Also present: Harry J. Millar, Secretary; Francis P. Dunne, Steward; John S. Clark, Counsel; Gerard A. Burke, Steward; and William Welch, Director of the Thoroughbred Breeders Service Bureau.

On motion duly made and seconded, the Commission approved the appointment by the Finger Lakes Racing Association Inc., of Arthur Langmayer as Steward, in place of Raymond Pollock, who appointment to that position had been approved at the meeting of the Commission on March 16, 1972.

The Commission disapproved the appointment by the Finger Lakes Racing Association Inc. of Lowell Ellis as a Patrol Judge.

On motion duly made and seconded, the Commission approved the appointment by the Finger Lakes Racing Association Inc. of Joseph Kozan and John Huggins as Assistant Racing Secretaries.

On motion duly made and seconded, the Commission approved the designation by the Finger Lakes Racing Association Inc. of the following individuals to act as Stewards during temporary absences of the regularly appointed Stewards: John O'Keeffe, Bennett Parke and Joseph Kozan.

The Chairman brought to the attention of the Commission the request of the Finger Lakes Racing Association Inc. under date of April 1, 1972, for permission to introduce Super Perfecta wagering during its 1972 race meeting. Following extended discussion, the Commission on motion duly made and seconded, authorized Super Perfecta wagering at race tracks under its jurisdiction subject, however, to the promulgation of suitable Commission rules and regulations with respect thereto. Counsel was instructed to draft a proposed Super Perfecta Rule(s) and to submit them to the Commissioners for consideration.

The Commission ratified its prior approval of the application of The New York Racing Association Inc., under date of March 29, 1972, to install an additional tower at Aqueduct Race Course for extended film patrol coverage on the grass courses. The Chairman was authorized to issue the requisite Permit.

The Commission ratified its prior oral approval of the designation by The New York Racing Association, Inc. of Mr. Patrick W. O'Brien as a Steward at its meetings, in place of Mr. Nathaniel Hyland and the designation by The Jockey Club of Mr. Hyland as a Steward at

NYRA's meetings in place of Mr. Calvin Rainey. The Chairman noted that Mr. Rainey had been appointed Executive Secretary of The Jockey Club in place of Mr. John Kennedy, who is retiring.

The Commission reviewed occupational licenses.

There being no further business, on motion duly made and seconded, the meeting adjourned.

Respectfully submitted,


Secretary

No Commission meeting was held during May 1972.



Secretary

A meeting of the State Racing Commission was held on due notice at the Commission office, on Wednesday, June 14, 1972, commencing at 10 o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner

Also present: Harry J. Millar, Secretary; Francis P. Dunne, Steward; John S. Clark, Counsel; Harry Peterson, Chief Chemist; and William Welch, Director of the Thoroughbred Breeders Service Bureau.

On motion duly made and seconded, the Commission approved the Minutes of the April 13, 1972 Meeting.

The Commission ratified its prior oral approval of the request of Finger Lakes Racing Association to have a tenth race on May 29, July 4 and September 4, 1972.

The Commission approved the appointments by Finger Lakes Racing Association of the following individuals to act as the hereafter designated racing officials at its 1972 Meetings:

John Morrisey	Patrol Judge and Paddock Judge
Steven Parke	Patrol Judge
Robert W. Rigby, Jr.	Identifier and Timer

The Chairman then took up the matter of the reports of the Laboratory indicating that a urine sample of GRAPHIC PARK, winner of the 8th race on May 5, 1972 and the urine sample of HE'S MALICIOUS, winner of the 1st race on May 24, 1972 at Finger Lakes race track contained phenylbutazone. Following discussion in which the Chief Chemist participated, the Commission reviewed the action of the Stewards in each case.

The Chairman reported that he had received a communication from the President of the American Trainers Association, Mr. Thomas M. Waller, requesting that the Commission amend its rules to permit entries in Exacta races. Following extended discussion the Commission declined to act favorably on the request.

The Commission ratified its prior approval of entries in the Belmont Stakes on June 10, 1972 and directed that the order of the Chairman of the Commission to such effect be spread upon the Minutes.

The Matter of The Application	:	
of THE NEW YORK RACING ASSOCIATION INC.	:	ORDER
For a Waiver Of Commission Rule 12.20 (e)	:	

An application having been made by The New York Racing Association, Inc., under date of May 15, 1972 for leave to permit entries and fields in its 8th race on June 10, 1972, the Belmont Stakes, and to have Exacta wagering on that race, and sufficient grounds having been advanced in support of that application, and the Commission upon due consideration thereof having approved the application,

NOW, THEREFORE, IT IS ORDERED that the prohibition of entries and fields in races on which Exacta wagering is conducted as contained in Rule 12.20 (2) of the Rules and Regulations of this Commission shall be and the same hereby is waived for, and only for, the 8th race on June 10, 1972 at Belmont Park, the Belmont Stakes, and it is

FURTHER ORDERED, that distribution of the Exacta pool for said race shall be subject to the following regulation:

In the event that horses comprising an entry or field shall finish first and second, then for the purposes of distribution of the Exacta pool only, such entry or field and the third horse shall be the winning combination; in the event that horses comprising an entry or field shall finish first, second and third, then for the purposes of distribution of the Exacta pool only, such entry or field and the fourth horse shall be the winning combination; and so forth.

, and it is

FURTHER ORDERED, that the aforesaid regulation shall be printed in the official program of The New York Racing Association Inc. for June 10, 1972.

dated: New York, New York
May 17, 1972

/signed/ JOSEPH A. GIMMA
CHAIRMAN, NEW YORK STATE RACING
COMMISSION

The Commission approved the appointment by The National Steeplechase and Hunt Association, Inc. of John E. Cooper to act as Steward representing that association at hurdle races during the forthcoming Saratoga meeting of The New York Racing Association.

The Commission ratified its prior oral approval of the appointment by The Jockey Club of Nathaniel J. Hyland to act as Steward representing it at race meetings at New York Racing Association tracks for the 1972 season.

The Chairman suggested that the Commission consider a proposal to amend the racing law whereby all applicants for licenses would be subject to fingerprinting. He observed that the

Federal Bureau of Investigation had declined to continue to review fingerprint impressions submitted by the Commission, noting that the F.B.I. would have continued to review them if applicants for licenses were required by statute to be fingerprinted. Following the discussion, the suggestion was accepted and Counsel was instructed to prepare an appropriate bill.

The Chairman reported there were indications of access to the backstretch by unauthorized personnel. He suggested that the Commission consider instituting a program under which all persons authorized to be in the backstretch area would be photographed and under which only persons wearing a badge carrying their photograph and other appropriate identification would be permitted to have access. Following discussion, the Commission adapted a suggestion that the views of management, the Pinkertons and the Thoroughbred Racing Protective Bureau be solicited in this connection.

The Commission reviewed the reports of the Stewards of suspensions and fines imposed during the period since the last Commission meeting.

The Chairman noted that a proposed Superfecta rule had been circulated among the Commissioners by Counsel and that the views of the Finger Lakes Racing Association and The New York Racing Association with respect thereto had been received in writing. Following discussion, the Commission duly adopted the following resolution:

RESOLVED, that there shall be added to the Rules and Regulations of the State Racing Commission the following provision to be known as Rule 12.21:

12.21 Superfecta (a) The object of the superfecta is to select in order the first, second, third and fourth place horses in the designated superfecta race. The superfecta pool shall be held entirely separate from all other pools and is in no way a part of the daily double, exacta, or win, place, or show pools.

(b) Races in which superfecta betting shall be conducted shall be approved by the commission.

(c) If a horse is scratched or excused from racing no further tickets shall be sold designating such horse and all tickets previously sold designating such horse shall be refunded and the money deducted from the gross pool.

(d) If no ticket is sold designating, in order, the first four horses, the net pool shall be distributed equally among holders of tickets designating the first three horses, in order; if no ticket is sold designating, in order, the first three horses, the net pool shall be distributed equally among holders of tickets designating the first two horses, in

order; and if no ticket is sold designating, in order, the first two horses, the net pool shall be distributed equally among holders of tickets designating the winner.

(e) If no ticket is sold designating the winner to win, the superfecta shall be declared off and the gross pool refunded.

(f) Dead Heat. In the event of a dead heat or dead heats, all tickets designating the correct order of finish, crediting each horse in a dead heat as finishing in either position dead heated, shall be winning tickets; and the aggregate number of winning tickets shall be divided into the net pool for the purpose of determining the payoff.

(g) Coupled entries and fields are prohibited in superfecta races.

The Chairman reported that he had visited the Finger Lakes Race Track in May with Counsel, inspecting the entire grounds, plant and operation. He stated that he had conferred with all the directors of the Finger Lakes Racing Association and with management.


The Chairman noted that the Governor had declined to approve the Thoroughbred Breeders Incentive Bill which had passed the Assembly and the Senate during the recently concluded session of the Legislature.

The Chairman reported that the Commission had received a request from The New York Racing Association Inc. for an extension of its racing season to and including December 16, 1972 in accord with the provisions of Chapter 533 of the Laws of 1972 amending the racing law. The request was approved.

The Commission reviewed occupational licenses.

There being no further business, on motion duly made and seconded, the meeting adjourned.

Respectfully submitted,


Harry J. Millar
Secretary

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No Commission Meeting was held in July of
1972.

A meeting of the State Racing Commission was held on due notice at the Commission office, Saratoga Race Course, on Tuesday, August 15, 1972, commencing at 10 o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner
William L. Pfeiffer, Commissioner

Also present: Harry J. Millar, Secretary; Francis P. Dunne, Steward; John S. Clark, Counsel; Harry Peterson, Chief Chemist; and William Welch, Director of the Thoroughbred Breeders Service Bureau.

On motion duly made and seconded, the Commission approved the Minutes of the June 14, 1972 meeting.

The Commission ratified its prior oral approval of the appointment by the Finger Lakes Racing Association Inc. of Raymond Royston as Clerk of the Scales and Eugene Ringgold as Jockeys' Room Custodian. The Commission also ratified its prior oral approval of the appointment of Dr. David M. Davis as Examining Veterinarian at meetings of the Finger Lakes Racing Association.

The Commission approved the appointment by the Finger Lakes Association Inc. of Carlton Lane as a Patrol Judge.

The Chairman stated that he had been informed Emprise Corporation had been fined \$10,000. as a result of its conviction following trial upon an indictment in the United States District Court, Los Angeles, California.

The Chairman presented statistics with regard to the number of races at NYRA tracks having six or less betting interests, noting that from the period March 8 to July 31, 1971 there were 126 days of racing with 163 races having six or less wagering units.

The Chairman reported that following an informal inquiry conducted at Aqueduct in which Dr. Milton Gottdank, an applicant for an owner's license, had been examined under oath, his horse, NORTHSTAR DANCER, had been permitted to race.

The Chairman reported that an application for an owner's license had been received from Robert Petrin who was identified by the Commission as the son-in-law of Jerry Catena. He stated that Petrin was examined by Counsel under oath at Aqueduct before Mr. Dunne and at the conclusion of the examination he voluntarily withdrew his application.

The Chairman reported that applications for owner's licenses had been received from William Stavola and Joseph Michael Stavola, sons of Michael Stavola who was convicted in New Jersey on a charge of bribing a State Police Officer. The Chairman stated that both sons, their trainer and their accountant testified extensively at a Commission inquiry on two occasions. The testimony indicated that the applicants had independent financial ability and that their father had divorced

himself from racing activities in the State. The Chairman advised that horses of the applicants had thereafter been permitted to race.

The Chairman reported that an application for an owner's license had been received from Ulia Presti, the application having listed the horse called PRINCESS GRAUSTARK as being owned by her. In the course of the Commission's investigation of the application, State Senator Ralph Marino and his law partner Mr. Lamarca appeared at the Commission on behalf of the applicant. They were advised that a hearing would be required before the Commission could act on the application. A hearing was scheduled for July 12th whereupon Mr. Lamarca advised that the applicant did not wish to proceed at this time with the matter, requesting that a hearing be deferred.

The Chairman reported that an application for an owner's license had been received from Anthony Manzi, uncle of Robert Presti, also known as Ralph Libutti. On the application, Manzi listed PRINCESS GRAUSTARK as owned by him. He was interviewed at the Commission office at Aqueduct appearing with attorney, Jesse Moss, and one Vincent Cori. The Chairman advised that subsequent investigation established that the person purporting to be Vincent Cori was, in fact, Vincent Presti, husband of Julia Presti.

The Chairman reported that Mrs. Frank Caldwell had submitted an application for an owner's license and that her attorney advised the Commission that she intended to press the application. The Chairman stated that Mrs. Caldwell had telephoned Counsel, the Chairman, Mr. Dunne and Mr. Vanderbilt with regard to her application. He reported that the attorney wrote to the Commission stating that the Commission rule relating to the exclusion of spouses of disqualified persons is unconstitutional. The attorney was informed no action would be taken on the application until such time as The NYRA indicated that stall space would be made available to her and that, in such event, a formal hearing on the application would be conducted.

The Commission reviewed occupational licenses.

The Commission reviewed the reports of the Stewards of fines and suspensions since the last Commission meeting.

Mr. Kenneth Noe, the Racing Secretary and Handicapper of The NYRA was then invited into the meeting. Mr. Noe requested that the Commission consider his recommendations for changes in its rules as outlined in his letter to the Commission dated July 22nd. Following a full discussion with Mr. Noe, the Commission informed him

that the requests would be taken under advisement and that, in accord with the requirements of the racing law, the views of The Jockey Club with regard to his proposals would be solicited before any changes could be effected.

There being no further business, on motion duly made and seconded the meeting adjourned.

Respectfully submitted,



Harry J. Millar
Secretary

A meeting of the State Racing Commission was held on due notice at the Commission office, 598 Madison Avenue, New York City, on Thursday, September 14, 1972, commencing at 10 o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner

Also present: Harry J. Millar, Secretary; Francis P. Dunne, Steward; John S. Clark, Counsel; Frank Wochinger, Assistant Chief Chemist; and William Welch, Director of the Thoroughbred Breeders Service Bureau.

On motion duly made and seconded, the Commission approved the Minutes of the August 15, 1972 meeting.

The Chairman brought to the attention of the Commissioners the contents of a communication from The New York Racing Association, Inc., dated August 23, 1972, reading as follows:

"Section 6 of the New York Laws of 1972, C. 533 as amended by C. 534 provides that the State Racing Commission may authorize that we establish special promotional admissions. We seek your authorization for the following special admissions at charges (and distribution thereof) shown below:

1. We propose all minors (defined as less than 18 years) accompanied by an adult be admitted for \$.50 in the Grandstand.

\$.231	- State Tax
.231	- County Tax
.038	- Net to Association
<u>\$.50</u>	

2. We propose to develop and promote special group days in the Grandstand. We have plans for 4-H Days, Senior Citizens Days, College Days, etc. We would, if you request, notify you in advance of each such day. We propose members of these groups be admitted for \$.50.

\$.231	- State Tax
.231	- County Tax
.038	- Net to Association
<u>\$.50</u>	

We propose various promotional package rates in conjunction with appropriate parties who have a special interest in our operations. We hope to be able to develop special promotions with the LIRR, various charter bus companies and perhaps even NYCOTB. Depending upon developments in our discussions and

negotiations with specific groups, we propose a Grandstand admission rate of either \$1.00 or \$.50.

\$.231 - State Tax
 .231 - County Tax
.538 - Net to Association
 \$1.00

\$.231 - State Tax
 .231 - County Tax
.038 - Net to Association
 \$.50

We propose several "in-house" special promotions. Included are such ideas as discount Grandstand tickets for "Breakfast at Belmont" patrons, families of employees (both front side and backstretch) etc. We propose this discount ticket at \$.50.

\$.231 - State Tax
 .231 - County Tax
.038 - Net to Association
 \$.50

Following lengthy discussions, the Commission approved the request.

The Commission approved the appointment by the Finger Lakes Racing Association, Inc., of Michael Joseph Milian as a Placing Judge and the appointment by that Association of Harold O'Keefe as a racing official to serve in such positions as may be designated by the Finger Lakes Racing Association, other than Steward. The Chairman reported that a thorough investigation has been made of the background and qualifications of the appointees.

The Commission approved the employment of John Checho, Jr., as an Inspector assigned to Finger Lakes operations, replacing E. Lewis, who resigned. The Commission also approved the employment of Mrs. Alba Di Falco, as an Inspector assigned to the Commission office in New York City, replacing Joseph Skelly.

The Commission reviewed the fines and suspensions of the Stewards during the period since the last Commission meeting.

The Commission reviewed in detail the reports of the New York State Racing Commission Laboratory as follows:

Lab # E75460, Finger Lakes, August 3, 1972
 Sample contained Phenylbutazone

Lab # E79503, Finger Lakes, August 29, 1972
 Sample contained Phenylbutazone

Lab # E78461, Saratoga, August 23, 1972
 Sample contained Methamphetamine

The Commission authorized the submission to the Governor's Counsel of the following proposed legislation:

1. A bill to amend the racing law whereby all applicants for licenses would be required to submit to fingerprinting and to be photographed.
2. A bill to amend the racing law whereby the Commission would be authorized to adopt appropriate rules and regulations making the participation in backstretch employee benefit programs a condition of racing.
3. A bill to amend the racing law whereby the Chairman of the Commission would have the right to attend all meetings of the Trustees of The New York Racing Association but would have no vote.

Counsel reported that Messrs. Frank and Joseph Vigliarolo licensed owners, had been questioned at length under oath at Belmont Park on September 9, 1972 before the Chairman and the Steward relative to their alleged unfavorable associations. Further information concerning such alleged associations is being sought from the New York State Identification and Intelligence System.

Counsel reported that the recommendations of Mr. Kenneth Noe submitted to the Commission at its August meeting had been taken up with The Jockey Club and the National Steeplechase and Hunt Association, neither of which has submitted its comments thereon.

The Commission was apprised of discussions had between Counsel for the HBPA, and NYRA and the Attorney General's Office, relative to a settlement of pending litigation. Counsel reported that as a satisfactory disposition had not been reached, it appeared that the actions would proceed to trial.

There being no further business, on motion duly made and seconded, the meeting adjourned.

Respectfully submitted,



Harry J. Millar
Secretary

A meeting of the State Racing Co-mission was held at the Commission office at Belmont Race Course on Saturday, September 30, 1972, commencing at 11 o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner

Also present: Harry J. Millar, Secretary; Francis P. Dunne, Steward and John S. Clark, Counsel.

On motion duly made and seconded, the Commission approved the Minutes of the September 13, 1972 meeting.

The Commission approved the appointment by The New York Racing Association Inc., of Warren C. Mehrtens as Clerk of the Scales during the incapacity of John E. O'Hara for the balance of the season.

The Commission approved the appointment by The New York Racing Association, Inc., of Lucas Dupps and Robert F. Kelly, Jr., as Patrol Judges for the balance of the season.

The Commission approved the request of change of Post Time for the Finger Lakes Racing Association, Inc., from 1:30 P.M. to 1:00 P.M. effective October 30th thru the end of its meeting.

The Commission reviewed occupational licenses.

There being no further business, on motion duly made and seconded, the meeting adjourned.

Respectfully submitted,


Secretary

A meeting of the State Racing Commission was held at the Commission office, 598 Madison Avenue, New York City on Thursday, November 16, 1972, commencing at 10 o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner
William L. Pfeiffer, Commissioner

Also present: Harry J. Millar, Secretary; Francis P. Dunne, Steward; Gerard A. Burke, Steward; Mr. Harry Peterson, Chief Chemist; William H. Welch, Director of the Thoroughbred Breeders Service Bureau and John S. Clark, Counsel.

On motion duly made and seconded, the Commission approved the Minutes of the September 30, 1972, meeting.

The application of The New York Racing Association, Inc., dated October 20, 1972 under Section 4.22 of the Rules and Regulations of the Commission for permission to remove two structures at Saratoga Race Track, heretofore used as cook houses for Stevens' personnel at the east end of the grandstand and to create a park area in that place, was unanimously approved.

The Chairman referred to the Commission letter from Kenneth Noe, Jr., which was discussed at the August 1972 Commission meeting, in relation to proposed changes in Commission rules. The Chairman reported that the views of The Jockey Club and the National Steeplechase and Hunt Association, had been solicited in accord with the requirements of the Racing Law. The Chairman reported that both organizations had registered displeasure at the proposals except with respect to the proposal to change rule 25.14 to read in pertinent part as follows: "and starters must be named through the entry box by the usual time of closing on the day preceding the race unless otherwise designated." The Commission declined to accede to the requests for changes. Counsel, however, was instructed to draft a modification of rule 25.14 for submission to the Commission.

The Chairman observed that on the rare occasion when the State Steward at NYRA is absent from the Steward's Stand, it has been the practice for one of the substitute Stewards of The New York Racing Association, Inc. to take his place as Steward. The Chairman suggested that it was more appropriate for a State employee to take the place of the State Steward. Following discussion it was proposed that Mark Thomas, David Malone and William Welch, be authorized to act as Deputy or Substitute Stewards. The Chairman observed that the named individuals had many years of experience in racing and were in a position to act in the capacity of Steward under these circumstances. Accordingly, the Commission duly designated them as Substitute or Deputy Stewards.

The Chairman brought to the attention of the Commission a request by the president of the HBPA for stricter testings of

applicants for trainers licenses. There followed discussion of the request and the Commission received the comments of Mr. Dunne relating thereto.

The Chairman advised that an attorney representing Jockey Kenneth Gaddis, who had been suspended at the Finger Lakes race track, had requested a hearing. The Commission directed that upon receipt of a written request on behalf of Jockey Gaddis, a hearing be promptly held.

The Commission considered the application of The New York Racing Association, Inc., dated October 22, 1972, for permission to televise two Saturday races through the end of the 1972 season in connection with proposed Superfecta wagering off-track. There followed a lengthy discussion of the request, in the course of which the Commission received oral reports from the Chairman, Counsel and the State Steward, having a bearing on the application. At the conclusion of the discussions, the Commission unanimously rejected the application and directed that the following notice be sent to The New York Racing Association, Inc.:

This concerns The New York Racing Association, Inc.'s application dated October 21, 1972, received by the Commission on October 25, 1972, for approval of an agreement for live telecasts of races on which it is proposed to take superfecta wagering off-track commencing several days before the races.

The Commission has received expressions of opinion as to the conduct of races on which advance superfecta wagering is conducted from law enforcement and investigative agencies, representative horsemen, racing officials and other racing interests. The opinions invariably supported the Commission's view that extreme caution must be exercised to safeguard the integrity of such races and to protect racing and the public from possible collusion and the appearance of collusion. A number of proposals are under consideration, including a minimum field requirement.

The Commission has determined that, however, desirable such televised racing may appear to be, until suitable regulations are developed covering races having advance betting and in light of the pending investigations into certain superfecta races, approval should be deferred. Accordingly, the application is denied at this time.

The Commission reviewed and approved the proposed agreement between Pinkertons Inc. and the Department of State providing for a continuation of services to the Commission on the same basis as heretofore, from January 1, 1973 to December 31, 1975.

The Commission reviewed the reports of the Stewards of fines and suspensions since the last Commission meeting.

The Commission reviewed occupationa licenses.

There being no further business, on mtoion duly made and seconded,
the meeting adjourned.

Respectfully submitted,


Secretary

A meeting of the State Racing Commission was held at the Commission office, 598 Madison Avenue, New York City on Thursday, December 14, 1972, at 10 o'clock in the forenoon.

PRESENT: Joseph A. Gimma, Chairman
Edmond M. Hanrahan, Commissioner
William L. Pfeiffer, Commissioner

Also present: Harry J. Millar, Secretary; Francis P. Dunne, Steward; Gerard A. Burke, Steward; Mr. Harry Peterson, Chief Chemist; William H. Welch, Director of the Thoroughbred Breeders Service Bureau; and John S. Clark, Counsel.

On motion duly made and seconded, the Commission approved the Minutes of the November 16, 1972 meeting.

The Commission reviewed the application of The New York Racing Association, Inc. dated December 13, 1972 for 1973 racing dates. The following dates were approved:

<u>Aqueduct, Spring Meeting</u> Thursday, March 1 thru Saturday, May 12	63 days
<u>Belmont, Spring Meeting</u> Monday, May 14 thru Saturday, June 16	30 days
<u>Aqueduct, Summer Meeting</u> Monday, June 18 thru Saturday, July 28	36 days
<u>Saratoga</u> Monday, July 30 thru Saturday, August 25	24 days
<u>Belmont, Fall Meeting</u> Monday, August 27 thru Saturday, October 13	42 days
<u>Aqueduct, Fall Meeting</u> Monday, October 15 thru December 15	54 days
	<hr/> 249 days

The Commission considered the request of The New York Racing Association, Inc. dated November 18, 1972 for permission to adjust the price of box seats and reserved seats at Saratoga Race Course, beginning with the 1973 season, from \$1.50 per seat per day to \$2.50 per seat per day. Following considerable discussion the Commission reluctantly approved the request.

The Commission ratified its prior oral approval of the request of The New York Racing Association, Inc., under date of November 22, 1972 for approval of an Agreement with New York City Off-Track Betting Corporation for three telecasts, one for each Saturday, December 2nd, thru December 16, 1972. The Chairman directed that the Commission's release of November 28, 1972, relative to the request, be made part of the Minutes.

November 28, 1972
 PRESS RELEASE
 IMMEDIATE RELEASE

This concerns the request of The New York Racing Association, Inc., under date of November 22, 1972 for approval of a proposed agreement with New York City Off-Track Betting Corporation, granting it the exclusive right to telecast two races on each Saturday for the balance of the season, the races to be taped on each such Saturday in advance of the proposed television exhibition between 5:00 P.M. and 5:30 P.M. on Channel Nine.

The Commission has approved the request upon the representation that no form of wagering on the telecast races will be conducted off-track which is not available on track.

The Commission considered the request of The Jockey Club under date of December 11, 1972 that the Commission adopt a rule to the effect that any horse which had been identified as having been entered in any race as a "ringer" be ever barred from running in the State. Following discussion, the Commission on motion, duly adopted the following rule to take effect upon due notice to the Speaker of the Assembly and the President Pro-Tem of the Senate:

Section 24.2 Disqualification of certain horses.
 (a) No horse shall be allowed to enter or start if the horse was knowingly entered under a name other than its own by a person having lawful custody or control of the animal at the time it was so entered. (b) No horse shall be allowed to enter or start if a person having lawful custody or control of the animal knowingly participated in or assisted in the entry of racing of some other horse under its name. (c) For the purposes of subdivisions (a) and (b) of this section, the "name" of a horse means the name reflected in the registration certificate or racing permit issued with respect to the horse by The Jockey Club.

The Commission approved the following 1973 racing dates for the Finger Lakes Racing Association, Inc:

Spring Meeting

Friday, April 27 thru Saturday, June 30 51 days
 (Dark on Thursdays in May)

Summer Meeting

Monday, July 2 thru Friday, August 31 53 days
 (Six days per week)

Fall Meeting

Saturday, September 1 thru Tuesday, November 6 52 days
 (Dark Thursday in October and November)

The Commission reviewed the reports of suspensions and fines from the Stewards since the last meeting.

The Commission reviewed occupational licenses.

Other matters of interest were discussed.

Respectfully submitted



Harry J. Millar
Secretary