

Minutes of its Meeting Held
Thursday, July 17, 1980
10:30 a.m.

A meeting of the New York State Racing and Wagering Board was held on July 17, 1980, 10:30 a.m., at the Board Office, Two World Trade Center, New York, N.Y. 10047.

The meeting being called on July 15, 1980, public notice of the meeting was given to the Associated Press and UPI and to the public by posting in the Board's reception area on the 74th floor and also on the 44th floor.

PRESENT: John Van Lindt, Chairman; Bertram D. Sarafan, Member; Dr. Joseph O'Dea, Member

ALSO PRESENT: Richard F. Corbisiero, Jr. , Executive Director; John Dailey, Director of Policy and Planning; Dean Alfange, Director of Quarter Horse Racing; Victor Coccozziello, Director of Wagering Systems; Sal Curiale, Counsel; Kenneth Beh, Director of Public Relations; Domonic Coppotelli, Director of Bingo; Herman Kluge, Director of Licensing and Investigations; Jacob Iberger, Chief of Racing Operations; Bernard Golar, Assistant Commissioner of OTB Operations; Cyrill Rooks, Assistant Counsel; Ted Garrison, Assistant Counsel, Nancy Rudolph, Assistant Counsel and Thomas C. Davide, Secretary to the Board.

A. MINUTES:

1. The Board approved the minutes of its meeting held June 16, 1980.

B. FOR ENTRY INTO THE MINUTES:

1. NYRA - Reduced Admission. The Board's prior approval of July 1, 1980 of request by The New York Racing Association, Inc. to offer the following reduced admission programs: (1) in conjunction with a "personalized letter" to selected mailing lists, NYRA will provide a free Grandstand coupon which will be recognized on July 4, July 5 and July 6, 1980; (2) in conjunction with a special Sunset

Series concert on the evening of Friday, July 11, 1980 at the conclusion of the race day, NYRA will be mailing coupons which may be exchanged for free Grandstand admission if the recipient arrives at the track before 4:30 p.m. and; (3) a coupon permitting the recipient free Grandstand admission on July 27, 1980, will appear in the Amsterdam News.

2. Saratoga Raceway - Promotion Request. The Board's prior approval of June 27, 1980 of request by Saratoga Harness to conduct a contest entitled "Own a Horse", during their Grand Circuit Week, commencing June 29, 1980. The rules for this promotion are attached.
3. Saratoga Harness - Advance Wagering. The Board's prior approval of June 27, 1980 of request by Saratoga Harness to conduct/advanced wagering during their Grand Circuit Week of matinee racing starting Sunday, June 29, 1980 thru Saturday, July 5, 1980, between the hours of 8:00 a.m. to 11:00 a.m.
4. Monticello Raceway - Knights of Pythias. The Board's prior approval of June 23, 1980 of request by Monticello Raceway dated June 23, 1980 to admit the Knights of Pythias free of charge on the evening of June 23, 1980.
5. Yonkers Raceway - Advance Wagering. The Board's prior approval of June 25, 1980 of request by Yonkers Raceway to accept advance wagering on the 26th Edition of the Cane Pace to be held Saturday, June 28, 1980. They will begin advance wagering Thursday, June 26, 1980.
6. Monticello Raceway - Live Radio Show. The Board's prior approval of July 11, 1980 of request by Monticello Raceway to have a live radio show every Friday night, commencing Friday, July 11, 1980 through Friday, October 3, 1980 from 7:30 p.m. - 8:00 p.m. The Show will be used to interview patrons, drivers and various department heads to inform the public more clearly as to the options and goings on at the track.

C. FOR BOARD APPROVAL:

1. Monticello Raceway - Bald Headed Appreciation Night. The Board denied request by Monticello Raceway to have a Bald Headed Appreciation Night on Saturday evening, August 23rd.
2. Yonkers Raceway - "Cash-Call". The Board deferred action on this matter until a later meeting.

3. Head-On Close Circuit Television Cameras. The Board directed that all the race tracks that do not have head-on television cameras, provide a television camera capable of providing, for the judges, a head-on view of the field as they come down the stretch to the finish wire. They are directed to provide same, by October 1, 1980.
4. Monticello Raceway - Classic VI Finals. The Board approved request by Monticello Raceway to hold the draw for the Classic VI Finals the evening of Sunday, July 27, 1980 rather than the following morning at the track.
5. New York City Off-Track Betting Corporation, Inc. -Delayed Audio Broadcasts. The Board approved request by NYCOTB to provide delayed audio broadcasts of the race calls from Delaware Park on "dark" Tuesdays and on any other days when racing might be cancelled at NYRA from July 15, 1980 and continuing through September 7, 1980. They intend to use the Delaware Park delayed audio broadcasts in conjunction with the race calls from Arlington Park and assure that race calls from both tracks will be heard in their branch offices no earlier than fifteen (15) minutes after the running of the races at the tracks.
6. NYRA- Binocular Sale. the Board approved request by The New York Racing Association, Inc. to hold a promotion whereby NYRA will offer binoculars for sale at a reduced price, NYRA intends to offer free Grandstand admission to 11 stakes races to purchasers of the binoculars.
7. NYRA-Saratoga Meeting - Reduced Admission Program. The Board approved request by The New York Racing Association, Inc. to conduct a pre-opening Sunday Preview party at Saratoga. At this party free Grandstand admission coupons will be available. They may be exchanged for free admission on either Wednesday, Thursday or Friday of the opening week at Saratoga.
8. Finger Lakes - Advance Sale Tickets - Rick Nelson Concert. The Board approved request by Finger Lakes Racing Association, Inc. to sell Advance Sale Grandstand tickets at 4 for \$5.00, a \$6.00 value, for the Rick Nelson Concert to be held on August 30, 1980 at Finger Lakes Race Track.
9. Proposed Rules 4101.37 - Restrictions on Veterinarians and Farriers. The Board made its

final approval of rule, 4101.37-Restrictions on Veterinarians and Farriers. Purpose- to restrict Veterinarians and Farriers from participating in racing as owners, trainers or drivers against horses upon whom they have practiced.

10. The New York State Lottery - OTB. (a) The Board approved request by Western Regional Off-Track Betting Corporation, Inc. dated June 24, 1980 to act as agent for the New York State Lottery to sell "numbers" lottery tickets for the new game which starts around Labor Day this year. This approval is subject to the following condition that the Board may, if racing handle suffers as a result of their engaging in lottery sales, order cessation on 30 days notice. In line with this condition, they are to submit, at least monthly, statistical information showing lottery handle and a comparison of current racing handle with prior periods. (b) The Board approved request by Capital District Off-Track Betting Corporation, Inc. dated June 12, 1980 to act as agent for the New York State Lottery to sell "numbers" lottery tickets for the new game which starts around Labor Day this year. This approval is subject to the following condition that the Board may, if racing handle suffers as a result of their engaging in lottery sales, order a cessation on 30 days notice. In line with this condition, they are to submit, at least monthly, statistical information showing lottery handle and a comparison of current racing handle with prior periods.

11. Hearing Officer Report in the Matter of - Fred Griffin (Trainer-Driver). 2nd race, Batavia Downs, March 25, 1980 - "Driving with lack of effort in the stretch". The Board affirmed the recommendation of Hearing Officer Rooks and confirmed violation of rule 4117.4(p) and reduced Mr. Griffin's suspension of license to ten (10) days from the original thirty (30) day suspension.

12. Saratoga Harness - 5600 General Admission Tax Exempt Passes. The Board approved request by Saratoga Harness to continue their promotion to print 5600 General Admission Tax Exempt Passes to the "Horseplayer's Club", as previously approved.

13. Finger Lakes Race Track - 10 Races on Sunday. The Board approved request by Finger Lakes Race Track to schedule ten (10) races on the following Sundays during the months of July and August, if

they can be filled: Sundays - July 13, 20 and 27;
Sundays - August 3, 10 and 24.

14. Yonkers Raceway - Quinella Wagering. The Board deferred action on this matter until a later date.
15. Yonkers Raceway - Oldsmobile Dealers Promotion. The Board approved request by Yonkers Raceway to conduct a promotion in corporation with Oldsmobile Dealers Association, Inc. Details of this promotion are outlined in their letter of request dated July 4, 1980.
16. NYRA- Ealy Bird Betting Hours - Continued. The Board approved request by The New York Racing Association, Inc. to extend its Early Bird Betting program through the 1980 Saratoga and Belmont Fall Meetings.
17. Western Regional Off-Track Betting Corporation, Inc. Pick-3 Wager. The Board approved request by Western Regional Off-Track Betting Corporation, Inc. to conduct the Pick-Three wagering at Batavia Downs Race Track on Tuesdays and Thursdays, commencing Tuesday, July 29, 1980, through and including November 27, 1980. This approval is conditioned upon the approval of Batavia Downs Race Track.
18. Capital District Off-Track Betting Corporation, Inc. - Additional Branch. The Board approved request by CDOTBC to amend its plan of operation by the addition of a new branch office located in the Town of Colonie.
19. Western Regional Off-Track Bettting Corporation, Inc. - Additional Branch. The Board approved request by WROTBC to locate a mini branch in Gowanda, New York. The authorization for this branch is for six months. During this period, they will submit monthly reports detailing wagering handle, retention therefrom, operating expenses and net revenue attributable to the branch operation.
20. Syracuse Mile, Inc. - Certificate of Incorporation. The Board approved the Certificate of Incorporation of Syracuse Mile, Inc. as a corporation for the purpose of conducting harness horse race meetings at which pari-mutuel betting would be conducted upon the understanding, and with the concurrence of the incorporators, Buffalo Raceway and Vernon Downs that such approval would only entitle such corporation to a license to conduct a limited seven (7) day meeting at Syracuse pursuant to subdivision 8 of Section 40

of Chapter 254 of the Laws of 1940, as amended (Unconsolidated Laws Section 8008) if proper application were made and approved by the Board and that the Board's action in approving the certificate of incorporation would in no event constitute or imply any right in such corporation to secure a regular license to conduct pari-mutuel harness racing pursuant to such law.

21. Hearing Officer Report in the Matter of - Maley Brown (Driver). 10th race, May 9, 1980 - Saratoga Raceway, Starter's fine (off-the-gate). The Board affirmed the recommendation of Hearing Officer Rooks and reversed the decision of the starter, and annuled a \$50.00 fine.
22. Proposed Rule Amendment - of Sections 5821.1, 5821.5 and 5821.6 of Chapter V, Subchapter C, Subtitle T of Title 9 NYCRR relating to quartely summary statement of Bingo Operations. The Board approved the proposed amendment of sections 5821.1, 5821.5 and 5821.6 relating to licensed bingo organizations filing quarterly summary statements of bingo operations with the Board rather than weekly statements, municipal clerks also to receive a copy of such summary statement and to provide for sanctions for the failure to file or for a defective filing.
23. Proposed Rule Amendment - Section 5820.8 of Chapter V Subchapter C, Subtitle T of Title 9 NYCRR. The Board approved the Proposed Rule Amendment of Section 5820.8, relating to increasing the charge from one dollar to one dollar and twenty-five cents for a single opportunity to participate in all special bingo games to be played on a licensed occasion.
24. Proposed Rules - 4009.27, 4122.44, 4215.26 and 5211.20. The Board approved the following proposed rules regarding payments to the breeding funds; 4009.27, 4122.44, 4215.26 and 5211.20.
25. Proposed Rule 4104.8 - Trainers in the Paddock Rule Admission to Paddock. The Board deferred action on this matter until a later date.
26. Monticello Raceway - Promotion. The Board noted request by Monticello Raceway to hold a promotion, on August 1, 1980. They would present each paying patron, up to 5000, entering in the track with a bagel.

27. Hearing Officer Report in the Matter of - Wilfred Bourgon (Trainer - Driver). 5th race, May 23, 1980 - Buffalo Raceway. The Board affirmed the recommendation of Hearing Officer Rooks and confirmed the disqualification from 1st to placing of 8th.
28. License Application of John O. Marra. The Board approved the application of Mr. John O. Marra for licensing by the Harness Division, in the area of General Services. The approval follows from Mr. Marra's 1979 application for a license and from a hearing which took place on October 18, 1979, Report of Hearing Officer dated December 11, 1979 and Findings and Order of the Board dated February 6, 1980. Inter alia, the Findings and Order specified that Mr. Marra's 1979 application would be kept open and treated as an application for a 1980 license pending a showing of employment, pursuant to Board rule 4101.24(L) (1). Mr. Marra has now submitted such evidence of employment. Mr. Marra is presently to be employed by American Racing Programs, Inc., an organization which provides services to various racetracks in this state, in connection with the preparation and production of racing programs. His employment with this organization will require his presence at various harness racetracks from time to time. The Board, in deciding to license Mr. Marra in spite of his 1976 plea of nolo contendere to a Federal indictment for evasion of personal income tax and conspiracy to evade corporate income taxes, considered the following circumstances, among others: The length of time which has passed since Mr. Marra committed these crimes, that is, more than seven years, and the fact that Mr. Marra has remained unlicensed for a period of more than four years; Mr. Marra's previous unblemished record over a long period of having been licensed by the Harness Racing Commission and the Board previous to his indictment; and, The fact that the category of license and the employment in which Mr. Marra will be involved at the racetrack is of a non-sensitive nature which has little relationship to pari-mutuel wagering by the public.
29. Hearing Officer Report in the Matter of - John Chapman (Trainer - Driver). 8th race, April 28, 1980 - Roosevelt Raceway - "Interference" - The Board decided to confirm the disqualification of the horse "Maxcelsior" and to "abate the five (5) day suspension of the late John Chapman.

30. Extension of Apprentice Allowance- Glenda McKeever
The Board approved request by Apprentice Jockey Glenda McKeever for an extension on her apprenticeship, she was injured on October 24, 1979 and due to this injury Apprentice Jockey Glenda McKeever was unable to ride from November 12, 1979 through January 3, 1980 a total of 53 days. Apprentice Jockey Glenda McKeever has requested an extension of her allowance to compensate for time lost due to injury. Ms. McKeever's apprentice extension will begin on July 28, 1980 up to and including September 18, 1980.

31. NYRA- Reduced Admission Program - Good Old Summertime Promotion. The Board approved request by The New York Racing Association, Inc. to offer the following reduced admission program; in conjunction with its Good Old Summertime promotion, NYRA is providing coupon books which, among other things, contains a coupon good for free Grandstand admission on July 19, 1980. Additionally, in conjunction with a sweepstakes program which will be made available, without consideration, outside NYRA's admission gates, NYRA will be offering free Clubhouse admission for two, at Saratoga, for the first place prize winners on each of the six days during the period of July 12 through July 18, 1980. In furtherance of NYRA's request to offer a reduced admission on July 19, 1980, NYRA will also offer free Grandstand admission to patrons who present their WCBS-FM "gold card" at the Belmont admission booths on that day.

D. FOR BOARD NOTICE AND DISCUSSION:

1. Letter of S. Gross, 6/26/80 - re: telegram dated June 24, 1980 from Austin A. Brown to Harry McCabe- endorsements of both the management of Delaware Park and the Delaware Racing Commission to provide delayed audio broadcasts of race calls from the track into NYCOTB branch offices.- NOTED
2. Letter of D. Etkin, 6/26/80- re: Capital District Off-Track Betting Corporation, Inc. - In the matter of the operation of Capital District Regional Off-Track Betting Corporation, Inc. - NOTED.
3. Letter of J. Summers, 6/26/80 - re: Aqueduct Dining Terraces. - NOTED ~
4. Letter of G. Barker, 5/27/80 re: Extra Race - Monday, May 26, 1980, Finger Lakes - NOTED
5. Memo of S. Cipot, 7/11/80 re: Computer Implementation Program - Licensing Division - NOTED
6. Memo of S. Curiale, 7/14/80 re: Niatross Ownership - NOTED
7. New York State Register, 6/25/80 re: 4009.2 grounds for refusal, suspension and revocation of licenses at Thoroughbred Race Tracks - Notice of Agency Action - NOTED

8. NYRA/Yonkers - Pick-Six Wagering, letter of M. Lieberman, 7/10/80; letter of G. Lawrence, 6/27/80 - NOTED
9. Letter of L. Doobin, 7/14/80; re: Harness Rule - NOTED