

Minutes of its Meeting Held

August 15, 1980, 10:30 a.m.

A meeting of the New York State Racing and Wagering Board was held on August 15, 1980, 10:30 a.m., at the Board Office, Two World Trade Center, New York, N.Y. 10047.

The meeting being called on August 12, 1980, public notice of the meeting was given to the Associate 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; Salvatore 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; Cyrill Rooks, Assistant Counsel; Theodore Garrison, Assistant Counsel; Nancy Rudolph, Assistant Counsel; and Thomas C. Davide, Secretary to the Board.

A. MINUTES: The Board approved the minutes of its meeting held July 17, 1980.

B. FOR ENTRY INTO THE MINUTES:

1. NYRA/REDUCED ADMISSION. The Board's prior approval of July 24, 1980 of request by The New York Racing Association, Inc. to hold the submitted reduced admission program. Details of this promotion are in their letter of request dated July 21, 1980.

2. APPRENTICE JOCKEY - Mike Gonzalez. The Board's prior approval of July 24, 1980 of request by Apprentice Jockey Mike Gonzalez for an extension of his apprenticeship. Mr. Gonzalez was injured on June 29, 1980 and reinstated on June 30, 1980, losing 1 day. Mr. Gonzalez's apprentice allowance expired on August 15, 1980, with the Board's approval his request for an additional day has been granted. Mr. Gonzalez's apprentice allowance has been extended for an additional day to end on August 26, 1980.
3. NYCOTB- ADDITIONAL PICK-FOUR ON SATURDAY NIGHTS. The Board's prior approval of July 18, 1980 of request by New York City Off-Track Betting Corporation, Inc. to have an additional Pick-Four wager on Saturday nights, with Yonkers Raceway and Monticello Raceway.
4. WROTB-REQUEST BY WAGERING ON THE SYRACUSE MILE INSIDE THE VERNON DOWNS SPECIAL BETTING DISTRICT. The Board's prior approval of August 4, 1980 of request by Western Regional Off-Track Betting Corporation, Inc. to allow wagering on The Syracuse Mile by its branches inside the Vernon Downs Special Betting District. "WROTB branches inside the Harness special betting District may accept wagers on the Syracuse Mile and Vernon Downs since both are considered regional tracks. No other races at the Syracuse Mile other than the two specials may be taken by WROTB's other branches except on Sundays, August 10 and August 17th, when Batavia Downs is dark.
5. NATIONAL STEEPLECHASE AND HUNT ASSOCIATION, INC. - BARTHOLOMEW SWEENEY, JR. The Board's prior approval of July 18, 1980 of request by The National Steeplechase and Hunt Association, Inc. to appoint Bartholomew Sweeney, Jr. to act as Steward representing The National Steeplechase and Hunt Association, Inc. in all steeplechase races run at Saratoga and Belmont Park in 1980.
6. VERNON DOWNS - 1000th Two-Minute Mile. The Board's prior approval of August 5, 1980 of request by Vernon Downs to give everyone in attendance on the night of their 1000th Two-Minute Mile, one free admission ticket valid on a Monday through Thursday basis, good until the end of August. Grandstand patrons will receive free grandstand return tickets and clubhouse patrons will receive free clubhouse return tickets.
7. WESTERN REGIONAL OFF-TRACK BETTING CORPORATION, INC. - FINGER LAKES. The Board's prior approval of July 31, 1980 of request by WROTB to hold certain promotions in conjunction with Finger Lakes Race Track. Details of these promotions are outlined in their letter of request dated July 31, 1980.

8. NEW YORK CITY OFF-TRACK BETTING CORPORATION, INC. - ROOSEVELT RACEWAY (PICK-FOUR). The Board's prior approval of August 4, 1980 of request by NYCOTB to continue the Pick-Four wager at Roosevelt Raceway during its upcoming meeting. It is their intention with Roosevelt's concurrence, to accept Pick-Four wagers on Thursdays and Saturdays to coincide with their weekly television broadcasts.
9. VERNON DOWNS - SYRACUSE MILE, INC. The Board's prior approval of August 11, 1980 of request by Vernon Downs and Buffalo Trotting Association, Inc. to: On the cover of the Vernon Downs programs on Tuesday, August 12 and Wednesday, August 13, there will be a coupon granting one free Grandstand admission to teh Syracuse Mile, valid for either Saturday, August 16 or Sunday, August 17, 1980.
10. NIATROSS GAINES MEMORIAL - VERNON DOWNS - JULY 26, 1980. The Board's prior approval of July 25, 1980 of request by Louis P. Guida to waive the following rules: 4107.2 and 4111.30 with regard to the horse Niatross and its ownership, thereby permitting Niatross to race in the Gaines Memorial at Vernon Downs on July 26, 1980.
11. NYCOTB-WAIVE THE TRIPLE FIELD REQUIREMENT IN THE DELAWARE PARK AND ARLINGTON PARK - 9th race, August 12, 1980. The Board's prior approval of August 11, 1980 of request by NYCOTB to waive rule 4011.22(h), for at least, 10 horses in any wagering involving the triple. There are no other races at Delaware Park or Arlington Park which have the required field of 10.
12. WILLIAM (BUDDY) GILMOUR. The Board's prior approval of August 13, 1980 of a review of the application for a harness license in the category of trainer-driver by William "Buddy" Gilmour. The Board granted a harness license in the category of trainer-driver to William "Buddy" Gilmour on a probationary basis. This action followed a thorough review of Mr. Gilmour's file and an investigation by the Board's staff into the facts surrounding Mr. Gilmour's 1979 conviction for income tax evasion which showed that his illegal activity was not, in any respect, racing related. The Board also considered Mr. Gilmour's recent successful completion of a probationary period of licensure in New Jersey and his apparent rehabilitation. The terms of his probation will be determined by the Board's Director of Audits and Investigations, Mr. Herman Kluge.
13. NIATROSS-REQUEST FOR WAIVER. The Board's prior approval of August 15, 1980 of an application for a waiver of our rules 4107.2 and 4111.30 with regard to the horse Niatross, to permit it to participate in two (2) races. The first at Syracuse Fairgrounds n Saturday, August 16, 1980 and the second on Saturday, September 6, 1980 at Batavia Downs.

14. APPRENTICE ALLOWANCE - ERIC A. BEITIA. The Board's prior approval of August 15, 1980 of request by Apprentice Jockey Eric A. Beitia for an extension of his apprenticeship. Mr. Beitia was injured on December 16, 1979. Due to this injury Apprentice Jockey Eric A. Beitia was unable to ride from December 16, 1979 through December 29, 1979 and September 2, 1979 through September 15, 1979, plus 1 snow day on January 5, 1980 for a total of 27 days. Mr. Beitia was suspended for 6 days, which makes his request for an additional 21 days. Apprentice Jockey Eric A. Beitia has requested an extension of his Apprentice Allowance to compensate for time lost due to injury. Mr. Beitia's apprentice allowance which was originally to expire on August 24, 1980 will be extended up to and including September 14, 1980.

C. FOR BOARD APPROVAL:

1. FINGER LAKES - CONSTRUCTION OF PLATFORM. The Board approved request by Finger Lakes Racing Association, Inc., to build a platform, as shown on the submitted map, to be used by the press and track photographer for photos of the races.
2. MONTECELLO RACEWAY - NEW YORK STATE ASSOCIATION OF CHIEFS OF POLICE. The Board approved request by Monticello Raceway dated July 29, 1980 to allow the New York State Association of Chief of Police admission into the raceway Free of charge on the 19th of August. They plan to have a group of approximately 250 persons.
3. YONKERS RACEWAY - CASH-CALL. The Board approved on an experimental basis request by Yonkers Raceway dated June 13, 1980 to enter into an agreement with the Graphic Scanning Corporation and to implement a service known as "Cash-Call" for race track patrons. This is being approved with the following condition, that a monthly report is sent to Mr. Jacob Iberger and Mr. Herman Kluge. This approval will run until the end of the Fall Meet.
- 3a. NYRA- "Cash-Call". The Board approved on an experimental basis request by The New York Racing Association, Inc. to enter into an agreement with the Graphic Scanning Corporation whereby Graphic will install its Cash-Call System at NYRA's racetracks. This approval is subject to the following conditions, that a monthly report is sent to Mr. Jacob Iberger and Mr. Herman Kluge. This approval will run until the end of the Belmont Fall Meeting.

4. YONKERS RACEWAY - QUINELLA WAGERING. The Board denied request by Yonkers Raceway dated July 7, 1980, to conduct Quinella Wagering on the second race of each wagering program in addition to the Daily Double.
5. PROCAINE ZERO TOLERANCE RULE - 4042.2, 4120.10 and 4233.2. The Board approved the above mentioned rules for filing with the Secretary of State's Office. 4042.2(d), 4120.10 and 4233.2 relating to the use of the drug, procaine hydrochloride, on race horses at Thoroughbred, Harness and Quarter Horse Tracks. Purpose- to eliminate the potential abuse of the drug procaine hydrochloride in race horses, because of difficulties involved in determining the time of administration of the drug.
6. BUFFALO RACEWAY - CONSTRUCTION. The Board approved the construction of a New 80-Stall Barn at Buffalo Racway.
7. HEARING OFFICER REPORT IN THE MATTER OF - PHIL LASPINO (DRIVER). Buffalo Raceway, 6th race, May 3, 1980- Decorum Violation; \$100 fine by Presiding Judge. The Board approved recommendation of Hearing Officer Rooks to confirm \$100 fine.
8. HEARING OFFICER REPORT IN THE MATTER OF - ROGER DE TORE (DRIVER). Vernon Downs, 4th race, April 18, 1980. Violation of the Start, \$50.00 fine. The approved recommendation of Hearing Officer Rooks to confirm \$50.00 fine.
9. HEARING OFFICER REPORT IN THE MATTER OF - GEORGE JOHNSON (DRIVER). Vernon Downs, 2nd race, May 1, 1979. Violation of the Start, \$50.00 fine. The Board approved recommendation of Hearing Officer Rooks to confirm the \$50.00 fine.
10. HEARING OFFICER REPORT IN THE MATTER OF - JOE CARRUBBA (DRIVER). Buffalo Raceway, 4th race, April 25, 1980 - Interference. The Board approved recommendations of Hearing Officer Rooks to confirm 5 day suspension of license and confirm disqualification from 1st to placing of 8th.
11. HEARING OFFICER REPORT IN THE MATTER OF - LARRY GREEN (DRIVER). Buffalo Raceway, 2nd race, April 26, 1980 - Interference. The Board approved recommendations of Hearing Officer Rooks to confirm 5 day suspension of license and confirm disqualification from 7th to placing of 8th.
12. MONTICELLO RACEWAY - AFL-CIO. The Board approved request by Monticello Raceway to admit the AFL-CIO free of charge on the 27th of August, 1980. They plan to hold their Annual Convention in the area and will be a group of 500 or more.

13. HEARING OFFICER REPORT IN THE MATTER OF - HANNIBAL VOLUNTEER FIRE DEPARTMENT CO., INC. The submitted hearing report relates to the proceedings to suspend or revoke New York State Bingo Identification Number 35-304-301-03450 of the Hannibal Volunteer Fire Department Co., Inc., Hannibal, New York which were held on July 30, 1980. A plea of "no contest" was entered respecting all the charges contained in the Notice of Hearing. The Board approved recommendations of Hearing Officer Cocozziello that the bingo identification and license of the organization be suspended for a period of six months beginning September 1, 1980 but that the execution of this suspension be suspended.
14. BATAVIA DOWNS - 10th RACE EXACTA. The Board denied request by Batavia Downs dated August 2, 1980 to have a 10th race exacta, when they have an eleven race card.
15. SARATOGA RACEWAY - MARINE MIDLAND BANK MONEYMATIC MACHINE. The Board approved request by Saratoga Raceway dated August 4, 1980 to install one of the MoneyMatic Machines from the Marine Midland Bank on their premises. This is being approved with the following condition; that a monthly report be sent to Mr. Jacob Iberger and Mr. Herman Kluge. This is being approved only up until the end of this year.
16. NYRA - "PICK-SIX". The Board approved request by NYRA dated August 8, 1980 to accept Pick-Six wagers, on Saturdays, Sundays and Mondays only commencing with NYRA's Belmont Fall Meeting. This approval is only thru the Belmont Fall Meeting and a monthly report must be submitted regularly to Mr. H. Kluge and Mr. J. Iberger, outlining the handle, etc., plus a final report at the end of the meet. As part of this agreement with NYRA and New York City Off-Track Betting Corporation, Inc., OTB will be allowed to have an off-track triple, on those days when The New York Racing Association is accepting the Pick-Six Wager. The Board has no objection to NYRA's request for moving the second (2nd) race quinella to the ninth (9th) race on those days that NYRA would be offering Pick-Six Wagering. It should be understood that because of the agreement with the Off-Track Betting Corporations, being given the right to conduct Triple Wagering as an OTB exclusive on those days, that NYRA's ninth (9th) race should be set up so as to conform with the rules that apply to Triple Wagering, i.e.; "no entries", "no fields", and "a 10 horse field".
17. YONKERS RACEWAY - PICK-FOUR. The Board deferred action on this matter until a later meeting.

18. NYCOTB - PICK-FOUR, "DELAWARE PARK". The Board approved request by New York City Off-Track Betting Corporation, Inc. dated August 7, 1980 to conduct "Pick-Four" wagering on thoroughbred races at Delaware Park on Tuesday, August 19th and on all successive Tuesdays until the end of the present Delaware Park Meeting. It is their intention to conduct the "Pick-Four" wagering under the same rules as presently exist for "Pick-Four" harness racing. The races involved in the "Pick-Four" wagering from Delaware Park will be the third through the sixth race.
19. RULES - COUPLED ENTRIES. The Board approved for proposal and publication the submitted rule changes and proposed rules - 4009.20- Refund - horse excused; 4009.21(b)-Refund, failure of starting gate; 4010.1(d)(3)(New); 4010.1(e)(3); 4011.5 (new) - Coupled entry scratch ; 4011.20(e); 4035.1; 4117.11(b); 4122.18(c), (d), and (e); 4122.14(f); 4122.39(h); 4122.42(c); 4213.2(b); 4217.4; 4217.9(a); 4217.10 Quinella; 4217.13 Exacta; 4035.1 (new); 4227.1(new).
20. SARATOGA HARNESS - "Horseplayer's Club". The Board approved request by Saratoga Harness to reinstitute the Saratoga Harness "Horseplayer's Club" promotion on the date of Tuesday, August 26, 1980, 7,000 general admission tax exempt permits will be printed and distributed to members of the "Horseplayer's Club".
21. NYRA- BELMONT PARK - LABOR DAY. The Board approved request by The New York Racing Association, Inc. dated August 12, 1980 to hold the submitted reduced admission program during the Labor Day weekend. Details of this promotion are outlined in their letter of request.
22. RULES - "FIVE-SIX" RULES. The Board approved the submitted proposed rules governing the "Five-Six" bet now being conducted in California, Illinois and New Jersey. These rules were filed on an emergency basis. These rules are modeled upon the rules in those states and conform to the programming of American Totalizator of their system 300.

D. FOR BOARD NOTICE AND DISCUSSION:

1. Memo from Legal Staff, 7/10/80; Re: Prohibitions relating to public officers etc. NOTED
2. Letter of G. Barker, 7/14/80; Re: Concerts (Finger Lakes). NOTED
3. Letter of J. Summers, 7/15/80 Re: Aqueduct Dining Alcoves. NOTED

4. Emergency Agency Action, N.Y.S. Register, 7/9/80 Re: Use of the Drug Procaine Hydrochloride on Race Horses at Thoroughbred, Harness and Quarter Horse Tracks, 4042.2(d), 4120.10; 4233.2(d).NOTED
5. Proposed Agency Action, N.Y.S. Register, 7/30/80 Re: Promotions at Racetracks and at Off-Track Betting- 4003.11, 4101.37, 4204.12 and 5204.15. NOTED
6. Proposed Agency Action, N.Y.S. Register, 8/6/80 Re: Charge to Participate in Special Bingo Games by Licensed Bingo Organizations, 5820.8. NOTED
7. Proposed Agency Action, N.Y.S. Register, 8/6/80 Re: Filing of Quarterly Summary Statements by Licensed Bingo Organizations, 5821.1, 5821.5 and 5821.6. NOTED
8. Memo of J. Iberger, 8/4/80 Re: Andrew Furman - Public Relations Director of Monticello Raceway. NOTED
9. Memo of D. Vaughan, 8/6/80 Re: Veterinarians and Farriers rule - 4101.37. NOTED
10. Memo of J. Dailey, 8/6/80 Re: Helmet Rule. NOTED
11. Memo of S. Curiale, 8/8/80, Re: Request by HBPA - Thoroughbred Workmens Compensation Rule. NOTED
12. Memo of T. Davide, 8/11/80, Re: Rules, letters in regard to 4101.37 and 5204.15. NOTED